



General Assembly

February Session, 2000

Amendment

LCO No. 5111

Offered by:

SEN. SULLIVAN, 5th Dist.

REP. LYONS, 146th Dist.

To: Senate Bill No. 640

File No.

Cal. No. 181

***"An Act Implementing The Master Development Plan
For The Adriaen's Landing Project And The Stadium At
Rentschler Field Project."***

1 Strike out everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 32-600 of the general statutes, as amended by
4 section 17 of public act 99-241, is repealed and the following is
5 substituted in lieu thereof:

6 As used in this chapter and sections 26 to 46, inclusive, of [this act]
7 public act 99-241, as amended by this act, the following terms shall
8 have the following meanings:

9 (1) "Authority" means the Capital City Economic Development
10 Authority created pursuant to section 32-601.

11 (2) "Capital city project" means any or all of the following: (A) A
12 convention center project as defined in subdivision (3) of this section;
13 (B) a downtown higher education center; (C) the renovation and
14 rejuvenation of the civic center and coliseum complex; (D) the
15 development of the infrastructure and improvements to the riverfront;
16 (E) (i) the creation of up to one thousand downtown housing units
17 through rehabilitation and new construction and (ii) the demolition or
18 redevelopment of vacant buildings; and (F) the addition to downtown
19 parking capacity. All capital city projects shall be located or
20 constructed and operated in the capital city economic development
21 district, as defined in subdivision [(4)] (7) of this section, provided any
22 project undertaken pursuant to subparagraph (E) (ii) of this
23 subdivision may be located anywhere in the town and city of Hartford.

24 (3) "Convention center" means a convention facility constructed and
25 operated in the capital city economic development district, including
26 parking for such facility, in conjunction with a privately developed
27 hotel, including ancillary facilities and infrastructure improvements as
28 more particularly described in the master development plan.

29 (4) "Convention center facilities" means the convention center and
30 the related parking facilities, as defined in section 27 of public act 99-
31 241, as amended by this act, to the extent such related parking facilities
32 are developed, owned or operated by the authority. "Convention
33 center facilities" does not include the convention center hotel.

34 (5) "Convention center hotel" means the privately developed hotel
35 required to be constructed and operated in conjunction with the
36 convention center, as more particularly described in the master
37 development plan, as defined in section 27 of public act 99-241, as
38 amended by this act, including the second phase of the convention
39 center hotel as therein described.

40 [(4)] (6) "Convention center project" means the development, design,

41 construction, finishing, furnishing and equipping of the convention
42 center facilities and related site acquisition and site preparation.

43 [(5)] (7) "Capital city economic development district" means the area
44 bounded and described as follows: The northerly side of Masseek
45 Street from the intersection of Van Dyke Avenue proceeding westerly
46 to the intersection of Van Block Avenue, proceeding northerly along
47 Van Block to the intersection of Nepaquash Street, proceeding easterly
48 to the intersection of Huyshope Avenue, proceeding northerly along
49 Huyshope Avenue to the intersection of Charter Oak Avenue,
50 proceeding westerly along Charter Oak Avenue to Wyllys Street,
51 proceeding along Wyllys Street to Popieluszko Court, north on
52 Popieluszko Court to Charter Oak Avenue proceeding westerly to
53 Main Street, proceeding south along Main Street to Park Street, thence
54 west along Park Street to Washington Street, thence north along
55 Washington Street to the entryway to the State Capitol, thence
56 northwesterly along the Exit 48 on ramp to Interstate 84 northward to
57 the railroad, now proceeding northeasterly along the railroad to its
58 intersection with the southerly railroad spur, thence proceeding
59 southeasterly along the railroad R.O.W. to the Bulkeley Bridge. Thence
60 easterly to the city line. Proceeding south along city boundary to the
61 point perpendicular with Masseek Street. Thence westerly to the point
62 of beginning.

63 Sec. 2. Subsection (c) of section 32-602 of the general statutes, as
64 amended by section 19 of public act 99-241, is repealed and the
65 following is substituted in lieu thereof:

66 (c) In addition to the powers enumerated in subsection (b) of this
67 section, with respect to the convention center project and the
68 convention center facilities the authority shall have the following
69 powers: (1) To acquire, by gift, purchase, condemnation or transfer,
70 lands or rights-in-land in connection [therewith] with the convention
71 center facilities or the convention center hotel and to sell [, lease as

72 lessee or as lessor,] and lease or sublease, as lessor or lessee or
73 sublessor or sublessee, any portion of its real property rights, including
74 air space above or areas below the convention center facilities or the
75 convention center hotel, and own and operate the convention center
76 facilities, provided that such activity is consistent with all applicable
77 federal tax covenants of the authority, transfer or dispose of any
78 property or interest therein acquired by it, at any time and to receive
79 and accept aid or contributions, from any source, of money, labor,
80 property or other things of value, to be held, used and applied to carry
81 out the purposes of this section, subject to the conditions upon which
82 such grants and contributions are made, including, but not limited to,
83 gifts or grants from any department, agency or instrumentality of the
84 United States or this state for any purpose consistent with this section;
85 (2) to condemn properties which may be necessary or desirable to
86 effectuate the purposes of the authority with respect to the convention
87 center project and the convention center hotel to be exercised in
88 accordance with the provisions of chapter 835; (3) to formulate plans
89 for, acquire, finance and develop, lease, purchase, construct,
90 reconstruct, repair, improve, expand, extend, operate, maintain and
91 market the convention center [project] facilities, provided such
92 activities are consistent with all applicable federal tax covenants of the
93 authority and provided further that the authority shall retain control
94 over naming rights with respect to the convention center, [and] that
95 any sale of such naming rights shall require the approval of the
96 [Secretary of the Office of Policy and Management] secretary and that
97 the proceeds of any such sale of naming rights, to the extent not
98 required for start-up or current operating expenses of the convention
99 center, shall be used by the authority exclusively for the purpose of
100 operating or capital replacement reserves for the convention center; (4)
101 to contract and be contracted with provided, if management, operating
102 or promotional contracts or agreements or other contracts or
103 agreements are entered into with nongovernmental parties with
104 respect to property financed with the proceeds of obligations the
105 interest on which is excluded from gross income for federal income
106 taxation, the board of directors shall ensure that such contracts or

107 agreements are in compliance with the covenants of the authority
108 upon which such tax exclusion is conditioned; (5) to enter into
109 arrangements or contracts to either purchase or lease, on a fully
110 completed turn key basis, the convention center, [project] and
111 arrangements with the secretary regarding the development,
112 ownership and operation by the authority of the related parking
113 facilities, and to enter into a contract or contracts with an entity, or
114 entities, for [operating and managing of such convention center
115 project] operation and management thereof and, for purposes of
116 section 1 of public act 99-142 relating to standard wage rates for certain
117 service workers, any such contract for operation and management of
118 the convention center shall be deemed to be a contract with the state;
119 (6) to fix and revise, from time to time, and to charge and collect fees,
120 rents and other charges for the use, occupancy or operation of such
121 projects, and to establish and revise from time to time, [regulations]
122 procedures in respect of the use, operation and occupancy of [any such
123 project] the convention center facilities, including parking rates, rules
124 and procedures, provided such [regulations] arrangements are
125 consistent with all applicable federal tax covenants of the authority,
126 and to utilize net revenues received by the authority from the
127 operation of the convention center facilities, after allowance for
128 operating expenses and other charges related to the ownership,
129 operation or financing thereof, for other proper purposes of the
130 authority, including, but not limited to, funding of operating
131 deficiencies or operating or capital replacement reserves for either the
132 convention center or the related parking facilities as determined to be
133 appropriate by the authority; (7) to engage architects, engineers,
134 attorneys, accountants, consultants and such other independent
135 professionals as may be necessary or desirable to carry out its
136 purposes; to contract for construction, development, concessions and
137 the procurement of goods and services and to establish and modify
138 procurement procedures from time to time to implement the foregoing
139 in accordance with the provisions of [subdivision (2) of this subsection]
140 section 32-603; (8) to adopt procedures [with respect to contractors and
141 subcontractors engaged in the construction and operation of such

142 project] (A) which shall require [such] that contractors or
143 subcontractors [(A) to] engaged in the convention center project and
144 the construction of the convention center hotel take affirmative action
145 to provide equal opportunity for employment without discrimination
146 as to race, creed, color, national origin or ancestry or gender, (B) to
147 ensure that the wages paid on an hourly basis to any mechanic, laborer
148 or workman employed by such contractor or subcontractor with
149 respect to [such project shall be at a rate equal to the rate] the
150 convention center project or the construction of the convention center
151 hotel shall be at a rate customary or prevailing for the same work in
152 the same trade or occupation in the town and city of Hartford, unless
153 otherwise established pursuant to a project labor agreement, and (C)
154 which shall require the prime construction [contractor for such project]
155 contractors for the convention center project and for the convention
156 center hotel, and the principal facility [manager of such project]
157 managers of the convention center facilities and the convention center
158 hotel to make reasonable efforts to hire or cause to be hired available
159 and qualified residents of the city of Hartford and available and
160 qualified members of minorities, as defined in section 32-9n of the
161 general statutes, for construction and operation jobs at the convention
162 center facilities and the convention center hotel at all levels of
163 construction and operation; (9) to enter into a development agreement
164 with the developer of the convention center hotel, which agreement
165 shall prohibit any voluntary sale, transfer or other assignment of the
166 interests of such developer, or any affiliate thereof, in the convention
167 center hotel, including the rights under any ground lease, air rights or
168 similar agreement with the state or the authority, for a minimum
169 period of five years from the completion thereof except with the prior
170 written consent of the authority given or withheld in its sole discretion,
171 and thereafter except to a party which, in the reasonable judgment of
172 the authority, is financially responsible and experienced in the
173 ownership and operation of first class hotel properties in similar
174 locations; (10) to borrow money and to issue bonds, notes and other
175 obligations of the authority to the extent permitted under section 32-
176 607, to fund and refund the same and to provide for the rights of the

177 holders thereof and to secure the same by pledge of assets, revenues,
178 notes and state contract assistance as provided in section 32-608; [(10)]
179 (11) to do anything necessary and desirable, including executing
180 reimbursement agreements or similar agreements in connection with
181 credit facilities, including, but not limited to, letters of credit or policies
182 of bond insurance, remarketing agreements and agreements for the
183 purpose of moderating interest rate fluctuations, to render any bonds
184 to be issued pursuant to section 32-607 more marketable; and [(11)]
185 (12) to engage in and contract for marketing and promotional activities
186 to attract national, regional and local conventions, sports events, trade
187 shows, exhibitions, banquets and other events to maximize the use of
188 the convention center [project] facilities.

189 Sec. 3. Subsections (a) and (b) of section 32-614 of the general
190 statutes, as amended by section 24 of public act 99-241, are repealed
191 and the following is substituted in lieu thereof:

192 (a) For the purposes described in subsection (b) of this section the
193 State Bond Commission shall have power, from time to time but in no
194 case later than June 30, 2005, to authorize the issuance of bonds of the
195 state, in one or more series and in principal amounts and in the
196 aggregate not exceeding one hundred ninety million dollars and such
197 additional amounts as may be required in connection with the costs of
198 issuance of the bonds including bond anticipation, temporary and
199 interim notes, the proceeds of which shall be used by the [State]
200 Treasurer to pay the costs of issuance, provided in computing the total
201 amount of bonds which may at any one time be outstanding, the
202 principal amount of any refunding bonds issued to refund bonds shall
203 be excluded. After authorization by the State Bond Commission, all
204 securities of the state authorized pursuant to this section shall be
205 conclusively presumed to be fully and duly authorized pursuant to the
206 laws of the state. Any person or government entity shall be estopped
207 from questioning their authorization, sale issuance, execution or
208 delivery by the state.

209 (b) The proceeds of the sale of said bonds, to the extent of the
210 amount stated in subsection (a) of this section, shall be used as follows:
211 Three million dollars by the Department of Economic and Community
212 Development for a grant-in-aid to the Capital City Economic
213 Development Authority and the balance by the Office of Policy and
214 Management for a grant-in-aid to the Capital City Economic
215 Development Authority for the project costs of the convention center
216 project, [as defined in subdivision (3) of section 32-600] other than the
217 project costs of the related parking facilities, as defined in section 27 of
218 public act 99-241, as amended by this act, and such portion of
219 preliminary costs and the project costs of site acquisition, site
220 preparation and infrastructure improvements related to other aspects
221 of the overall project, all as defined in section 27 of public act 99-241, as
222 amended by this act, as is determined jointly by the secretary and the
223 authority to be appropriately allocated to the convention center,
224 subject to satisfaction of the conditions set forth in subsection (a) of
225 section 30 of [this act] public act 99-241, as amended by this act.

226 Sec. 4. Section 25 of public act 99-241 is repealed and the following is
227 substituted in lieu thereof:

228 The state shall protect, save harmless and indemnify the Capital
229 City Economic Development Authority and its directors, officers and
230 employees from financial loss and expense, including legal fees and
231 costs, if any, arising out of any claim, demand, suit or judgment based
232 upon any alleged act or omission of the authority or any such director,
233 officer or employee in connection with, or any other legal challenge to,
234 the overall project, as defined in section 27 of public act 99-241, as
235 amended by this act stadium facility operations, as defined in section
236 27 of public act 99-241, as amended by this act, public act 98-1 of the
237 December special session, public act 99-241 or this act, including
238 without limitation the preparation by the authority of the
239 environmental impact evaluation contemplated by subsection (j) of
240 section 41 of public act 99-241, as amended by this act, provided, in the

241 case of any such director, officer or employee, such director, officer or
242 employee is found to have been acting in the discharge of such
243 director, officer or employee's duties or within the scope of such
244 director, officer or employee's employment and any such act or
245 omission is found not to have been wanton, reckless, wilful or
246 malicious.

247 Sec. 5. Section 26 of public act 99-241 is repealed and the following is
248 substituted in lieu thereof:

249 It is found and declared that the general welfare, health and
250 prosperity of the people of the state of Connecticut will be promoted
251 by the holding in the vicinity of its capital city of Hartford [of sporting
252 events, other athletic contests, entertainment events and other public
253 activities; that an enclosed multipurpose sports and entertainment
254 facility and related improvements in said area] of university sporting
255 events, other athletic contests, entertainment events and other public
256 activities; that a multipurpose sports stadium in East Hartford for such
257 events and activities will serve the interests of the university, promote
258 tourism, contribute to the economic base of the state and stimulate
259 needed redevelopment in the area in which it is located; that United
260 Technologies Corporation, to commemorate the seventy-five-year
261 history of Pratt and Whitney Aircraft Company and its founder,
262 Frederick R. Rentschler, has offered to donate approximately seventy-
263 five acres of real property at Rentschler Field in the town of East
264 Hartford for use as the stadium facility site and, in connection with
265 such donation, to license for use in connection with stadium facility
266 events for one dollar per year approximately sixty-five hundred
267 additional parking spaces on its campus in the town of East Hartford,
268 which will save the state costs related to securing adequate parking for
269 stadium facility events; that the interests of the university and the state
270 will be served by the acceptance of such offer; that a convention center,
271 related parking facilities and associated housing, entertainment,
272 recreation, retail, hotel and office development in the capital city of

273 Hartford will stimulate the needed redevelopment of said area as
274 envisioned by chapter 588x of the general statutes, and will
275 complement other substantial private development activities in
276 downtown Hartford that are contemplated by said chapter 588x; that
277 [rules, regulations and rate schedules with respect to parking for
278 sportsplex events are necessary and in the public interest for safety,
279 health and police purposes; that the economic benefits accruing to
280 owners of parking facilities near the sportsplex will be much greater
281 than any economic burdens imposed by the adoption of such rules,
282 regulations and rate schedules; that the expedited acquisition of
283 property and construction of such sportsplex and related
284 improvements] such activities and development in and near the capital
285 city of Hartford are matters of state-wide concern and the provisions of
286 sections 26 to 46, inclusive, of public act 99-241, as amended by this act
287 relating to municipal powers are necessary to effect the purposes
288 hereof; that the success of the convention center and the other public
289 improvements in the city of Hartford provided for in this act, and the
290 achievement of the objectives of chapter 588x and this act, are
291 dependent upon the integrated development and completion of the
292 associated housing, entertainment, retail, hotel and office
293 development; that the acquisition of property and the preparation of
294 suitable sites for such associated private development, particularly in
295 an urban area, often cannot be accomplished through the ordinary
296 operations of private enterprise, and therefore state participation and
297 assistance in site acquisition and preparation are necessary
298 inducements to such activities and development; that expedited site
299 acquisition, site preparation and construction of such convention
300 center, related parking facilities and associated housing, entertainment,
301 recreation, retail, hotel and office development for such purposes is for
302 the public welfare and is a public use for which the power of eminent
303 domain may be exercised and public land may be made available; that
304 the development and operation of the [sportsplex and related
305 improvements is a] stadium facility, convention center, related parking
306 facilities and other related public improvements and state participation
307 in and assistance to such associated private development are

308 significant governmental [use and function] uses and functions for
309 which the exercise of state power may be exercised and [a public
310 purpose] are public purposes for which the borrowing power of the
311 state may be exercised; and that, therefore, it is necessary and in the
312 public interest and for the public benefit and good that the provisions
313 of sections 27 to 46, inclusive, of [this act] public act 99-241, as
314 amended by this act, are declared as a matter of legislative
315 determination.

316 Sec. 6. Section 27 of public act 99-241 is repealed and the following is
317 substituted in lieu thereof:

318 As used in sections 26 to 46, inclusive, of [this act and] public act 99-
319 241, as amended by this act, sections 39 and 40 of public act 98-1 of the
320 December special session, as amended by [this act] public act 99-241
321 and this act and sections 32 to 37, inclusive, of this act :

322 (1) "Adriaen's Landing site" means the area of approximately thirty-
323 three acres of land within the capital city economic development
324 district designated in the master development plan as the location of
325 the convention center, the related parking facilities and the on-site
326 related private development.

327 [(1)] (2) "Bonds" means the bonds authorized to be issued and sold
328 by the state pursuant to sections 28 and 29 of [this act] public act 99-
329 241, as amended by this act, and, unless the context requires a different
330 meaning, shall include serial, term or variable rate bonds, notes issued
331 in anticipation of the issuance of bonds, and temporary or interim
332 notes or notes issued pursuant to a commercial paper program.

333 (3) "Capital city economic development district" has the meaning
334 assigned to that term in section 32-600, as amended by this act.

335 [(2)] (4) "Comptroller" means the State Comptroller or the deputy
336 comptroller appointed pursuant to section 3-133.

337 (5) "Convention center" has the meaning assigned to that term in
338 section 32-600, as amended by this act.

339 (6) "Convention center project" has the meaning assigned to that
340 term in section 32-600, as amended by this act.

341 [(3)] (7) "Convention center hotel" [means the privately developed
342 hotel required to be constructed and operated in conjunction with the
343 convention center as part of the related private development] has the
344 meaning assigned to that term in section 32-600, as amended by this
345 act.

346 [(4)] "Convention center facilities" means the convention center and
347 the convention center hotel.

348 (5) "Convention center site" means the real property within the
349 capital city economic development district in the city of Hartford
350 necessary for the development of the convention center.]

351 [(6)] (8) "Costs of issuance" means all costs related to the
352 proceedings under which bonds are issued pursuant to sections 28 and
353 29 of [this act] public act 99-241, as amended by this act, including, but
354 not limited to, fees and expenses or other similar charges incurred in
355 connection with the execution of reimbursement agreements,
356 remarketing agreements, standby bond purchase agreements,
357 agreements in connection with obtaining any liquidity facility or credit
358 facility with respect to such bonds, trust agreements respecting
359 disbursement of bond proceeds and any other necessary or
360 appropriate agreements related to the marketing and issuance of such
361 bonds and the disbursement of the bond proceeds, auditing and legal

362 expenses and fees, expenses incurred for professional consultants,
363 financial advisors and fiduciaries, fees and expenses of remarketing
364 agents and dealers, fees and expenses of the underwriters to the extent
365 not paid from a discount on the purchase price of such bonds, and fees
366 and expenses of rating agencies, transfer or information agents, and
367 including costs of the publication of advertisements and notices,
368 printers' fees or charges incurred by the state to comply with
369 applicable federal and state securities or tax laws and any other similar
370 costs of issuance.

371 [(7)] (9) "Design professional" means each duly licensed architect,
372 engineer or other design professional experienced in the design of
373 [major multipurpose sports and entertainment] comparable facilities
374 and related improvements retained by the secretary from time to time
375 to prepare plans and specifications and perform related professional
376 services in connection with the overall project and related
377 development activities.

378 [(8) "Facility manager"] (10) "Stadium facility manager" means each
379 nongovernmental service provider engaged by the secretary to provide
380 overall management services with respect to all or a portion of the
381 [sportsplex or the parking facilities] stadium facility.

382 [(9) "Facility operations"] (11) "Stadium facility operations" means
383 all activities related to the use, management and operation of the
384 [sportsplex and the parking facilities] stadium facility including,
385 without limitation, maintenance and repairs, purchases of supplies, the
386 addition or replacement of furniture, fixtures and equipment, safety
387 and security, crowd and traffic control, ticket and premium seating
388 promotion and sales, ticketing and box office operations, event
389 booking, scheduling and promotion, event operations, stadium
390 parking management, marketing, promotion and public relations,
391 advertising sales, media and broadcast activities and merchandising,
392 catering and concessions.

393 (12) "GMP" means guaranteed maximum price.

394 [(10)] (13) "Governmental authorities" means all federal, state or
395 local governmental bodies, instrumentalities or agencies and all
396 political subdivisions of the state, including municipalities, taxing, fire
397 and water districts and other governmental units.

398 [(11)] (14) "Governmental permits" means all permits,
399 authorizations, registrations, consents, approvals, waivers, exceptions,
400 variances, orders, judgments, decrees, licenses, exemptions,
401 publications, filings, notices to and declarations of or with, or required
402 by, governmental authorities, including those relating to traffic,
403 environmental protection, wetlands, zoning, site approval, building
404 and public health and safety, that are required for the development
405 and operation of any project or facility.

406 [(12) "Hartford sportsplex capital replacement account"]

407 (15) "Stadium facility capital replacement account" means the capital
408 replacement reserve account within the [Hartford Sportsplex] Stadium
409 Facility Enterprise Fund established by section [32 of this act] 33 of
410 public act 99-241, as amended by this act.

411 [(13) "Hartford Sportsplex Enterprise Fund"]

412 (16) "Stadium Facility Enterprise Fund" means the separate fund
413 established by section 33 of [this act] public act 99-241.

414 [(14)] (17) "Infrastructure improvements" means necessary or
415 desirable infrastructure improvements relating to the convention
416 center, the [sportsplex or the] stadium facility, the related parking
417 facilities or the on-site related private development, as the case may be,
418 including, but not limited to, structures over roads and highways,

419 roadway improvements, pedestrian improvements, landscaped plazas,
420 piers, foundations and other structural work on the Adriaen's Landing
421 site or the stadium facility site or off-site as determined by the
422 secretary to be necessary or desirable in connection with the
423 development of the Adriaen's Landing site or the stadium facility site,
424 and whether undertaken by the secretary or any other agency,
425 department or public instrumentality of the state, as more particularly
426 described in the master development plan.

427 [(15)] (18) "Internal Revenue Code" means the Internal Revenue
428 Code of 1986, or any subsequent corresponding internal revenue code
429 of the United States, as from time to time amended, and regulations
430 adopted thereunder.

431 [(16)] (19) "Master development plan" means [a] the master
432 development plan for the overall project and the on-site related private
433 development prepared by the secretary and the authority with the
434 assistance of the design professional, [which shall include at a
435 minimum the documents and information specified in subsection (b)
436 of section 30 of this act] in the form filed with the clerks of the Senate
437 and the House of Representatives on March 3, 2000, as modified by the
438 secretary after the effective date of this act in accordance with the
439 provisions of section 35 of this act.

440 [(17)] (20) "NCAA" means the National Collegiate Athletic
441 Association or its successor.

442 [(18)] "Nonevent business areas" means improvements on the
443 sportsplex site or the parking facilities site and portions of the
444 sportsplex or the parking facilities used for commercial or retail
445 purposes not principally related to sportsplex events or otherwise
446 devoted to private business use for purposes of Section 141(b) of the
447 Internal Revenue Code.]

448 (21) "On-site related private development" means the convention
449 center hotel and the other housing, entertainment, recreation, retail
450 and office development on the Adriaen's Landing site contemplated by
451 the master development plan. "On-site related private development"
452 includes the second phase of the convention center hotel as described
453 in the master development plan but excludes any other addition to, or
454 any expansion, demolition, conversion or other modification of, any
455 such on-site related private development unless the secretary certifies
456 in the secretary's discretion that such addition, expansion, demolition,
457 conversion or other modification is being undertaken by agreement
458 with the secretary in furtherance of the objectives of the master
459 development plan.

460 [(19)] (22) "Overall project" means the convention center project, the
461 [sportsplex] stadium facility project and the parking project, or one or
462 more of the foregoing as more particularly described in the master
463 development plan, including all related planning, feasibility,
464 environmental testing and assessment, permitting, engineering,
465 technical and other necessary development activities, [the acquisition
466 of any real property required therefor, and site preparation] including
467 site acquisition, site preparation and infrastructure improvements. As
468 used in sections 41, 42 and [56] 46 of [this act] public act 99-241, as
469 amended by this act, and subdivision (1) of section 12-412, subsection
470 (a) of section 12-498 and subdivision (1) of section 22a-134, each as
471 amended by public act 99-241 and this act and section 20 of this act,
472 "overall project" [shall also include the convention center hotel] also
473 includes the development, design, construction, finishing, furnishing
474 and equipping of the on-site related private development.

475 [(20) "Parking facility site" means one or more parcels of the real
476 property located with the capital city economic development district in
477 the city of Hartford necessary for the development of the related
478 parking facilities.]

479 [(21)] ~~(23)~~ "Parking project" means the development, design,
480 construction, finishing, furnishing and equipping of the related
481 parking facilities and related site acquisition and site preparation.

482 [(22) "Plans and specifications" means the preliminary plans and
483 specifications or the final plans and specifications for the sportsplex
484 and the parking facilities, as the case may be, prepared by the design
485 professional consistent with the master development plan approved by
486 the secretary, as modified from time to time with the approval of the
487 secretary.]

488 [(23)] ~~(24)~~ "Preliminary costs" means the costs of the state or the
489 authority, as the case may be, relating to planning, preliminary design,
490 feasibility and permitting of the overall project, whether incurred prior
491 to or following the effective date of [this act] public act 99-241,
492 including, but not limited to, costs of plans, including plans with
493 respect to alternative or prior designs, budgeting, borings, surveys,
494 maps, title examinations, environmental testing, environmental impact
495 evaluations, appraisals, documentation of estimates of costs and
496 revenue increments to the state or the authority in connection with the
497 overall project and the permitting thereof, including feasibility studies,
498 market and impact analysis, preliminary design costs and costs
499 incidental to investigations, preparation and processing of permit
500 applications and preparation and analysis of any proposed agreement,
501 lease or memorandum of understanding with respect to the overall
502 project, including, but not limited to, the fees and expenses of
503 professional, management and technical consultants, and financial and
504 legal advisors, and the reimbursement to any state agency or
505 department, public authority, political subdivision or private entity
506 which has advanced or advances funds for the payment of any such
507 preliminary costs, provided that in the case of any such private entity
508 such advancement was or is at the request of or with the approval of
509 the state as certified by the secretary and would qualify as a
510 preliminary cost [of] if incurred directly by the state or the Capital City

511 Economic Development Authority.

512 [(24)] (25) "Prime construction contractor" means [the] each general
513 contractor, construction manager or other construction professional
514 with primary responsibility for construction activities with respect to
515 the stadium facility, the convention center, the [sportsplex or the]
516 related parking facilities or any aspect of the on-site related private
517 development, as the case may be.

518 [(25)] (26) "Project costs" means and includes all hard and soft costs
519 relating to the [sportsplex] overall project, [the parking project or site
520 preparation, as the case may be,] or, in context, any aspect thereof,
521 including, but not limited to, preliminary costs, costs of site
522 acquisition, site preparation and infrastructure improvements,
523 relocation costs, including costs related to interim parking
524 arrangements, costs of issuance, costs of labor and materials employed
525 in the work, [costs of insurance,] fees for project and construction
526 management services, including incentive payments related to timely
527 completion of improvements at or under budget, costs of insurance,
528 including title insurance, the establishment of appropriate reserve
529 funds in connection with the financing of any aspect of the overall
530 project, and costs of accounting, legal, architectural, environmental,
531 permitting, engineering, management, financial and other professional
532 and technical services.

533 (27) "Project manager" means the development professional selected
534 to supervise and coordinate the development of the Adriaen's Landing
535 site on behalf of the secretary and the authority.

536 [(26)] (28) "Real property" means land and buildings and all estate,
537 interest or right in land or buildings, including land or buildings
538 owned by any person, the state or any political subdivision of the state
539 or instrumentality thereof and including any and all easements, rights
540 of way, air rights and every estate, right or interest therein.

541 [(27)] (29) "Related parking facilities" means parking structures,
542 facilities or improvements which are necessary or desirable to provide
543 parking for the convention center, [the sportsplex,] the convention
544 center hotel and other on-site related private development, which
545 related parking facilities may also satisfy other public and private
546 parking requirements within the capital city economic development
547 district, or to replace currently available parking which may be
548 displaced by the overall project, [or the] other than the stadium facility
549 project, or the on-site related private development, together with
550 equipment, fixtures, furnishings and appurtenances integral and
551 normally associated with the construction and operation of parking
552 facilities, and ancillary infrastructure improvements, all as more
553 particularly described in the master development plan.

554 [(28)] (30) "Related private development" means privately
555 developed facilities or projects located within the capital city economic
556 development district and associated with the convention center, [or the
557 sportsplex,] including the hotel to be developed in conjunction with
558 the convention center and such other privately developed facilities or
559 projects, which may include housing, hotel, retail, entertainment,
560 recreation, [housing] office or parking facilities or projects, including
561 privately developed or financed improvements related to the
562 convention center or such facilities or projects, as [may be identified
563 and described in] contemplated by the master development plan. For
564 purposes of this subdivision, the term "associated" means functionally
565 and economically related to the convention center [or the sportsplex]
566 as part of an integrated effort to develop and revitalize the urban core
567 of the city of Hartford as an attractive destination for visitors and
568 location for new businesses and residents.

569 [(29)] (31) "Secretary" means the Secretary of the Office of Policy and
570 Management or [the deputy secretary appointed pursuant to section
571 4-8] the secretary's designee.

572 (32) "Site acquisition" means the acquisition of real property, by
573 condemnation, purchase, lease, lease-purchase, exchange or otherwise,
574 comprising the Adriaen's Landing site and the stadium facility site,
575 and includes the acquisition of other real property determined by the
576 secretary to be necessary for off-site infrastructure improvements
577 related to the development of the Adriaen's Landing site or the
578 stadium facility site or for temporary use for construction staging or
579 replacement parking during the period of construction, and the
580 exchange or lease, as lessor or lessee, by the secretary or any other
581 agency, department or public instrumentality of the state, of off-site
582 real property to the extent determined by the secretary to be necessary
583 to acquire real property comprising the Adriaen's Landing site, but
584 excludes the acquisition or development by any private party of real
585 property or improvements not on the Adriaen's Landing site.

586 [(30)] (33) "Site preparation" means the removal and relocation of
587 utilities, including electricity, gas, steam, water and sewer, the
588 installation and connection of additional required utilities, the
589 construction of necessary drainage facilities, the demolition of existing
590 improvements and the removal, containment or other remediation of
591 any hazardous materials and the restoration and compacting of soil,
592 whether undertaken by the secretary or any other agency, department
593 or public instrumentality of the state, all on the [convention center]
594 Adriaen's Landing site, the [sportsplex] stadium facility site, [the
595 parking facilities site] and on other sites where site preparation is
596 necessary for the [construction and operation of the convention center
597 or the sportsplex or the parking facilities] development of the
598 Adriaen's Landing site and the stadium facility site as contemplated by
599 the master development plan or for the continuation of a public service
600 facility, as defined in section 35 of [this act] public act 99-241, as
601 amended by this act, or utility operations.

602 [(31) "Sportsplex" means an enclosed multipurpose sports and
603 entertainment facility]

604 (34) "Stadium facility" means a multipurpose sports stadium with a
605 minimum of approximately forty thousand seats and with capacity for
606 expansion to a minimum of approximately fifty thousand seats, [which
607 may include premium seating areas,] meeting all applicable
608 requirements for home team facilities for Division I-A football of the
609 NCAA and the college football conference of which the university is
610 expected to be a member, including seating capacity, size and
611 composition of playing surface, locker room and media facilities and
612 other amenities, to be owned by the state on the [sportsplex site for the
613 holding of athletic contests or other events, which may include but
614 shall not be limited to football, basketball, soccer and baseball games,
615 other sporting events and musical, dramatic and other artistic, cultural,
616 entertainment, educational and social events and public activities,
617 together with associated year round, seasonal or occasional office,
618 retail, dining, recreational and entertainment facilities and] stadium
619 facility site, together with equipment, fixtures, furnishings and
620 appurtenances integral and normally associated with the construction
621 and operation of such a [multipurpose] facility, stadium parking and
622 ancillary infrastructure improvements, all as more particularly
623 described in the master development plan.

624 [(32) "Sportsplex project"] (35) "Stadium facility project" means the
625 development, design construction, finishing, furnishing and equipping
626 of the [sportsplex] stadium facility and related site acquisition and site
627 preparation.

628 [(33) "Sportsplex site"] (36) "Stadium facility site" means the real
629 property [located within the capital city economic development district
630 in the city of Hartford necessary for the development of the sportsplex,
631 as referred to in section 18 of this act] located at Rentschler Field in the
632 town of East Hartford designated for such purpose in the master
633 development plan.

634 (37) "Stadium parking" means improvements, facilities and other

635 arrangements for parking for stadium facility operations and events,
636 including license, lease or other parking use agreements.

637 [(34)] (38) "State" means the state of Connecticut.

638 [(35)] (39) "State Bond Commission" means the commission
639 established pursuant to subsection (c) of section 3-20 or any successor
640 thereto.

641 [(36)] (40) "Treasurer" means the State Treasurer or the deputy
642 treasurer appointed pursuant to section 3-12.

643 [(37)] (41) "University" means The University of Connecticut, a
644 constituent unit of the state system of public higher education.

645 [(38)] (42) "Work" means the provision of any or all of the work,
646 labor, materials, equipment, services and other items required for a
647 project including, but not limited to, design, architectural, engineering,
648 development and other technical and professional services,
649 construction and construction management services, permits,
650 construction work and any and all other activities and services
651 necessary to acquire, design, develop, construct, finish, furnish or
652 equip any project.

653 Sec. 7. Section 28 of public act 99-241 is repealed and the following is
654 substituted in lieu thereof:

655 (a) The State Bond Commission shall have power, in accordance
656 with this section from time to time to authorize the issuance of bonds
657 of the state by the [State] Treasurer, pursuant to and in accordance
658 with this section in one or more series and in principal amounts not
659 exceeding in the aggregate [one hundred fifteen] ninety-one million
660 two hundred thousand dollars plus additional amounts for costs of

661 issuance to the extent that premium and accrued interest on such
662 bonds are not available to pay such costs of issuance as determined by
663 the Treasurer at the time of issuance, provided, in computing the total
664 amount of such bonds which may at any one time be outstanding, the
665 principal amount of any refunding bonds issued to refund such bonds
666 shall be excluded. The proceeds of such bonds and each series thereof
667 shall be used by or at the direction of the Secretary of the Office of
668 Policy and Management for the purposes of financing project costs of
669 the [sportsplex] stadium facility project, as set forth in a certificate of
670 determination filed by the secretary with the Treasurer and the
671 secretary of the State Bond Commission in respect of such project costs
672 as detailed in said certificate. Each such bond shall bear such title or
673 other designation as may be fixed by the Treasurer prior to issuance.
674 This section shall constitute a bond act within the meaning of section 3-
675 20.

676 (b) The bonds authorized pursuant to this section shall mature at
677 such time or times not exceeding thirty years, [from the later of their
678 respective dates or the targeted completion date of the sportsplex.]
679 None of said bonds shall be authorized except upon a finding by the
680 State Bond Commission that there has been filed with it a request for
681 such authorization, which is signed by the secretary stating such terms
682 and conditions as said commission, in its discretion may require. Such
683 bonds shall be general obligations of the state and the full faith and
684 credit of the state of Connecticut are pledged for the payment of the
685 principal of and interest on such bonds, including temporary or
686 interim notes, as the same become due, and, accordingly, as part of the
687 contract of the state with the holders of such bonds, appropriation of
688 all amounts necessary for punctual payment of such principal and
689 interest is hereby made including with respect to interest on temporary
690 or interim notes and principal thereof to the extent not funded with
691 renewals thereof or bonds, and the Treasurer shall pay such principal
692 and interest as the same become due.

693 (c) No bonds, notes or other obligations provided for in this section
694 shall be authorized by the State Bond Commission except upon (1) a
695 filing by the secretary with the State Bond Commission of a copy of the
696 master development plan, and (2) a finding by the State Bond
697 Commission that such issuance is in the public interest. [and that all
698 conditions set forth in subsection (a) of section 30 of this act have been
699 met.]

700 (d) All provisions of section 3-20 and the exercise of any right or
701 power granted thereby which is not inconsistent with the provisions of
702 this section, are hereby adopted and shall apply to all bonds
703 authorized pursuant to this section, and temporary or interim notes in
704 anticipation of the money to be derived from the sale of any such
705 bonds so authorized may be issued in accordance with said section 3-
706 20 and from time to time renewed provided no filings required by
707 subdivisions (1) and (2) of subsection (g) of said section 3-20 shall be
708 required.

709 (e) Any balance of proceeds of the sale of such bonds authorized by
710 this section in excess of aggregate project costs shall be used to meet
711 interest and principal amounts as the same become due on [said
712 authorized bonds or] such bonds or to defease or redeem such bonds
713 as may be outstanding, or shall be deposited to the General Fund as
714 the Treasurer shall determine. [in order to comply with applicable
715 federal tax requirements.]

716 (f) Net earnings on investment of proceeds, accrued interest and
717 premiums on the issuance of any of such bonds authorized by this
718 section after payment of expenses incurred by the Treasurer in
719 connection with their issuance, if any, and after compliance with
720 applicable federal tax requirements, shall be used to meet interest and
721 principal amounts as the same become due on said authorized bonds.

722 (g) After [issuance] authorization by the State Bond Commission, all

723 securities of the state issued pursuant to this section shall be
724 conclusively presumed to be fully and duly authorized and issued
725 under the laws of the state. Any person or governmental entity shall be
726 estopped from questioning their authorization, sale, issuance,
727 execution or delivery by the state.

728 (h) For the purposes of this section "state moneys" means the
729 proceeds of the sale of the bonds authorized pursuant to this section or
730 of temporary or interim notes issued in anticipation of the moneys to
731 be derived from the sale of such bonds. Any federal, private or other
732 moneys then available or thereafter to be made available for project
733 costs of the [sportsplex] stadium facility project as identified by the
734 secretary may be added to any state moneys available or becoming
735 available hereunder for such project costs and be used for the
736 [sportsplex] stadium facility project as if constituting such state
737 moneys, and any other federal, private or other moneys then available
738 or thereafter to be made available for such project costs, if and to the
739 extent from time to time directed by the Treasurer, upon receipt shall,
740 in conformity with applicable federal and state law, be used for the
741 purposes for which such other moneys are received, and otherwise by
742 the Treasurer to meet the principal of outstanding bonds issued
743 pursuant to this section or to meet the principal of temporary or
744 interim notes issued in anticipation of the money to be derived from
745 the sale of such bonds authorized pursuant to [this act] public act 99-
746 241, as amended by this act, for the purpose of financing such project
747 costs, either by purchase or redemption and cancellation of such bonds
748 or notes or by payment thereof at maturity. Whenever any of the
749 federal, private or other moneys so received with respect to the
750 [sportsplex] stadium facility project are used to meet principal of such
751 temporary or interim notes or whenever principal on any such
752 temporary or interim notes is retired by application of revenue receipts
753 of the state, the amount of such bonds authorized in anticipation of
754 which such temporary or interim notes were issued, and the aggregate
755 amount of such bonds which may be authorized pursuant to this
756 section shall each be reduced by the amount of the principal so met or

757 retired. Pending use of the federal, private or other moneys so received
758 to meet the principal as directed in this subsection, the amount thereof
759 may be invested by, or at the direction of, the Treasurer in bonds or
760 obligations of, or guaranteed by, the state or the United States or
761 agencies or instrumentalities of the United States, or in accordance
762 with the provisions of said section 3-20, and shall be deemed to be part
763 of the debt retirement funds of the state, and net earnings on such
764 investments shall be used in the same manner as said moneys so
765 invested.

766 Sec. 8. Section 29 of public act 99-241 is repealed and the following is
767 substituted in lieu thereof:

768 (a) The State Bond Commission shall have the power, in accordance
769 with the provisions of this section from time to time to authorize the
770 issuance of bonds of the state, pursuant to and in accordance with this
771 section, in one or more series and in principal amounts not exceeding
772 in the aggregate [fifty million] seventy-three million eight hundred
773 thousand dollars plus additional amounts for costs of issuance to the
774 extent that premium and accrued interest on such bonds are not
775 available to pay such costs of issuance as determined by the Treasurer
776 at the time of issuance, provided, in computing the total amount of
777 such bonds which may at any one time be outstanding, the principal
778 amount of any refunding bonds issued to refund such bonds shall be
779 excluded. The proceeds of such bonds and each series thereof shall be
780 used by or at the direction of the Secretary of the Office of Policy and
781 Management for the purposes of financing project costs of the [related
782 parking facilities] overall project, other than the stadium facility
783 project, or a grant-in-aid or other financial assistance with respect to
784 [related parking facilities] any aspect of the overall project, other than
785 the stadium facility project, pursuant to subsection (c) of this section,
786 as set forth in a certificate of determination filed by the secretary with
787 the Treasurer and the secretary of the State Bond Commission in
788 respect of such project costs as detailed in said certificate. Each such

789 bond shall bear such title or other designation as may be fixed by the
790 Treasurer prior to issuance. This section shall constitute a bond act
791 within the meaning of section 3-20.

792 (b) The bonds authorized pursuant to this section shall mature at
793 such time or times not exceeding thirty years from [the later of] their
794 respective dates. [or the targeted completion date of the parking
795 facilities.] None of said bonds shall be authorized except upon a
796 finding by the State Bond Commission that there has been filed with it
797 a request for such authorization, which is signed by the secretary
798 stating such terms and conditions as said commission, in its discretion
799 may require. Such bonds shall be general obligations of the state and
800 the full faith and credit of the state of Connecticut are pledged for the
801 payment of the principal of and interest on such bonds, including
802 temporary or interim notes, as the same become due, and, accordingly,
803 as part of the contract of the state with the holders of such bonds,
804 appropriation of all amounts necessary for punctual payment of such
805 principal and interest is hereby made including with respect to interest
806 on temporary or interim notes and principal thereof to the extent not
807 funded with renewals thereof or bonds, and the Treasurer shall pay
808 such principal and interest as the same become due.

809 (c) The secretary is authorized to use amounts available pursuant to
810 the bond authorization in this section to provide grants-in-aid or
811 financial assistance in such other forms as the secretary deems to be in
812 the public interest to the authority or any other public instrumentality
813 of the state or any private party developing or operating [related
814 parking facilities] any aspect of the overall project, other than the
815 stadium facility project, as defined in section 27 of [this act] public act
816 99-241, as amended by this act, upon a finding by the secretary that
817 such grant-in-aid or financial assistance is necessary, in connection
818 with any otherwise authorized revenue bond financing or private
819 investment, to induce the development of such [parking facilities]
820 aspects of the overall project. Such grant-in-aid or financial assistance

821 shall be on such terms as may be established by the secretary, and the
822 secretary is authorized to enter into such commitments and
823 agreements with respect thereto as may be necessary to carry out the
824 purposes of this subsection.

825 (d) No bonds, notes or other obligations provided for in this section
826 shall be authorized by the State Bond Commission except upon (1) a
827 filing by the secretary with the State Bond Commission of a copy of the
828 master development plan, and (2) a finding by the State Bond
829 Commission that such issuance is in the public interest.

830 (e) All provisions of section 3-20 and the exercise of any right or
831 power granted thereby which is not inconsistent with the provisions of
832 this section are hereby adopted and shall apply to all bonds authorized
833 pursuant to this section and temporary or interim notes in anticipation
834 of the money to be derived from the sale of any such bonds so
835 authorized may be issued in accordance with said section 3-20 and
836 from time to time renewed provided no filings required by
837 subdivisions (1) and (2) of subsection (g) of section 3-20 shall be
838 required.

839 (f) Any balance of proceeds of the sale of such bonds authorized by
840 this section in excess of aggregate project costs shall be used to meet
841 interest and principal amounts as the same become due on [said] such
842 authorized bonds or to defease or redeem such bonds as may be
843 outstanding, or shall be deposited to the General Fund as the Treasurer
844 shall determine.

845 (g) Net earnings on investment of proceeds, accrued interest and
846 premiums on the issuance of any of such bonds authorized by this
847 section after payment of expenses incurred by the Treasurer in
848 connection with their issuance, if any, and after compliance with
849 applicable federal tax requirements, shall be used to meet interest and
850 principal amounts as the same become due on said authorized bonds.

851 (h) After [issuance] authorization by the State Bond Commission, all
852 securities of the state issued pursuant to this section shall be
853 conclusively presumed to be fully and duly authorized and issued
854 under the laws of the state. Any person or governmental entity shall be
855 estopped from questioning their authorization, sale, issuance,
856 execution or delivery by the state.

857 (i) For the purposes of this section "state moneys" means the
858 proceeds of the sale of the bonds authorized pursuant to this section or
859 of temporary or interim notes issued in anticipation of the moneys to
860 be derived from the sale of such bonds. Any federal, private or other
861 moneys then available or thereafter to be made available for project
862 costs of the [related parking facilities] overall project, other than the
863 stadium facility project, as identified by the secretary may be added to
864 any state moneys available or becoming available hereunder for such
865 project costs and be used for the [parking project] overall project, other
866 than the stadium facility project, as if constituting such state moneys,
867 and any other federal, private or other moneys then available or
868 thereafter to be made available for such project costs, if and to the
869 extent from time to time directed by the Treasurer, upon receipt shall,
870 in conformity with applicable federal and state law, be used for the
871 purposes for which such other moneys are received, and otherwise by
872 the Treasurer to meet the principal of outstanding bonds issued
873 pursuant to this section or to meet the principal of temporary or
874 interim notes issued in anticipation of the money to be derived from
875 the sale of such bonds authorized pursuant to public act 99-241*, as
876 amended by this act, for the purpose of financing such project costs,
877 either by purchase or redemption and cancellation of such bonds or
878 notes or by payment thereof at maturity. Whenever any of the federal,
879 private or other moneys so received with respect to the [parking
880 project] overall project, other than the stadium facility project, are used
881 to meet principal of such temporary or interim notes or whenever
882 principal on any such temporary or interim notes is retired by
883 application of revenue receipts of the state, the amount of such bonds
884 authorized in anticipation of which such temporary or interim notes

885 were issued, and the aggregate amount of such bonds which may be
886 authorized pursuant to this section, shall each be reduced by the
887 amount of the principal so met or retired. Pending use of the federal,
888 private or other moneys so received to meet the principal as directed in
889 this subsection, the amount thereof may be invested by, or at the
890 direction of, the Treasurer in bonds or obligations of, or guaranteed by,
891 the state or the United States or agencies or instrumentalities of the
892 United States, or in accordance with the provisions of said section 3-20,
893 and shall be deemed to be part of the debt retirement funds of the
894 state, and net earnings on such investments shall be used in the same
895 manner as said moneys so invested.

896 Sec. 9. Section 31 of public act 99-241 is repealed and the following is
897 substituted in lieu thereof:

898 (a) Except as otherwise limited by sections 26 to 46, inclusive, of
899 [this act] public act 99-241, as amended by this act, the secretary may:

900 (1) Acquire, by condemnation, gift, purchase, lease, lease-purchase,
901 exchange or otherwise, the real property [for the sportsplex site and
902 the parking facilities site] comprising the Adriaen's Landing site and
903 the stadium facility site and such other real property determined to be
904 necessary by the secretary for off-site infrastructure improvements
905 related to the development of the Adriaen's Landing site or the
906 stadium facility site or for temporary use for construction staging or
907 replacement parking during the period of construction as
908 contemplated by the master development plan;

909 (2) Select, engage and compensate surveyors, appraisers, engineers,
910 architects and other providers of professional, management, financial
911 or technical services and undertake or arrange for engineering,
912 architectural, environmental, legal, fiscal and economic investigations
913 and studies, surveys, designs, plans, working drawings, specifications,
914 procedures and other activities incidental thereto;

915 (3) Lease or sublease, as lessor or lessee or sublessor or sublessee,
916 any real property in connection with the [sportsplex project, the
917 parking project or the convention center facilities] overall project and
918 the on-site related private development, including leases or subleases,
919 as lessor or lessee or sublessor or sublessee, of off-site real property in
920 connection with site acquisition arrangements, on terms to be
921 determined by the secretary;

922 (4) Enter into agreements, pursuant to which the state may be
923 obligated, among other things, to (A) acquire or provide the
924 [sportsplex site and the parking facilities site] stadium facility site, or
925 all or any portion of the Adriaen's Landing site, (B) provide bond
926 proceeds or other state moneys with which to pay project costs, and
927 (C) plan, undertake, perform or otherwise provide for the site
928 preparation, the implementation of the infrastructure [the coordination
929 of public and private facilities for sportsplex and convention center
930 parking] improvements and the development of the overall project,
931 and, upon completion or at such other time determined by the
932 secretary and the authority, transfer to the authority ownership of, and
933 any other rights and obligations of the secretary with respect to the
934 related parking facilities;

935 (5) Plan, design, develop, construct, finish, furnish, equip, replace,
936 alter, restore, reconstruct, improve or enlarge and enhance the
937 [sportsplex and the parking facilities] overall project and engage in
938 other activities incidental thereto, including the coordination of public
939 and private parking facilities, and, subject to section 32 of [this act]
940 public act 99-241, as amended by this act, enter into such construction,
941 development, project management, construction management, design-
942 build or other types of contracts or arrangements with respect to the
943 [foregoing including] overall project and, subject to the proper
944 allocation of costs, all or any portion of the on-site related private
945 development including provisions with respect to incentive fees for
946 timely completion of improvements at or under budget and such

947 requirements with respect to [guaranteed maximum price] GMP,
948 adherence to the project schedule, assumption of force majeure and
949 completion risk, surety and performance bonding, insurance, letters of
950 credit and financial guarantees and other assurances of performance
951 and completion as the secretary [may] determines to be appropriate in
952 order to assure adherence to the project budget or may otherwise
953 deem prudent, expedient and in the best interests of the state,
954 provided that the development or project management agreement
955 with the project manager shall require that construction contracts for
956 all major elements of the overall project for which the project manager
957 is responsible be awarded on a GMP basis at prices consistent with the
958 project budget;

959 (6) [Lease, sublease, license] License or manage any [nonevent
960 business areas] retail or commercial areas within the stadium facility
961 and engage in other activities incidental thereto;

962 (7) Undertake, perform or otherwise provide for stadium facility
963 operations, establish and carry out booking and scheduling policies,
964 marketing and promotional programs and box office and ticketing
965 operations, fix rental, usage, license, event-related and parking fees
966 and charges, enter into lease, license or other agreements [with the
967 university] with respect to [the playing of university home games]
968 university and other events at the [sportsplex] stadium facility and
969 related [events and] uses, which shall give priority in scheduling to
970 university home football games and which may give priority in
971 scheduling to other university-sponsored events, enter into
972 management contracts with respect to the overall management and
973 operation of the [sportsplex and the parking facilities] stadium facility
974 and stadium parking, and enter into other agreements with respect to
975 stadium facility operations including, but not limited to, event leases,
976 licenses or similar arrangements, [rental or use agreements relating to
977 parking spaces in the parking facilities or parking spaces in other
978 parking lots or garages in the vicinity of the convention center or the

979 sportsplex,] the sale of naming rights, ticketing, advertising, media,
980 broadcast, concessions, merchandising, marketing, facility
981 maintenance, common area maintenance, safety, security, utility,
982 service, supply and similar contracts, easements and rights-of-way for
983 stadium facility access, and lease, license, rental or other use
984 agreements for stadium parking, including the parking license
985 agreement with United Technologies Corporation contemplated by
986 section 26 of public act 99-241, as amended by this act, and
987 arrangements for off-site parking and shuttle service, sufficient to
988 satisfy projected peak stadium facility parking demand;

989 (8) Coordinate the overall project and stadium facility operations
990 with other departments or agencies of the state, any municipality,
991 political subdivision, quasi-public agency, public authority or other
992 public body including, but not limited to, the university, the
993 Metropolitan District Commission and the authority, each of which,
994 notwithstanding any provision of the general statutes, may enter into a
995 written agreement with the secretary and, if necessary, any private
996 party respecting the coordination, funding, performance and
997 completion of such work and activities;

998 (9) Coordinate the overall project with any developer, private
999 investor, general contractor, construction manager or other participant
1000 with respect to all or any part of the on-site related private
1001 development, enter into such agreements with such developers,
1002 private investors, general contractors, construction managers or other
1003 participants as may be necessary or appropriate to facilitate the
1004 coordinated development of the overall project and the on-site related
1005 private development, including with respect to site assembly, site
1006 preparation, common area maintenance and security and similar
1007 arrangements, or to secure [the] private investment commitments
1008 [required by subsection (a) of section 30 of this act] for related private
1009 development, including agreements with respect to the sequence and
1010 schedule of public and private investment in the overall project and

1011 the on-site related private development.

1012 (10) Arrange for, participate in, pay for or contribute to and procure
1013 directly or through the authority or a private entity or private entities,
1014 such policy or policies of insurance with respect to the overall project
1015 and stadium facility operations as the secretary shall determine is
1016 appropriate, necessary or desirable, including, but not limited to an
1017 owner-controlled insurance program or an insurance program
1018 consolidated in such manner as the secretary, the authority and such
1019 private entity and entities determine is appropriate with respect to
1020 general liability, environmental liability, professional liability,
1021 casualty, property, title, business interruption, business risk, force
1022 majeure, completion and other insurable risks including extra expense
1023 or other insurance coverages associated with and available for such
1024 risks in connection therewith, including in lieu of any of the foregoing
1025 such financial guarantees as [maybe] may be available for such risks.
1026 The costs of any such insurance program or financial guarantees
1027 allocable to any aspect of the [sportsplex project or the parking] overall
1028 project are confirmed as within the meaning of project costs;

1029 (11) Make and execute any other contracts and all other instruments
1030 necessary or convenient or desirable for the exercise of the powers and
1031 functions of the state and coordinate, delegate, implement and
1032 complete any or all of the [sportsplex project or the parking] overall
1033 project;

1034 (12) Delegate or assign to the authority or any other agency,
1035 department or public instrumentality of the state, including any quasi-
1036 public agency, such rights, interests, activities, responsibilities and
1037 obligations of the secretary as, in the opinion of the secretary, are
1038 appropriate, necessary or desirable in order to effectuate the
1039 [sportsplex project or the parking project,] overall project or to provide
1040 for stadium facility operations;

1041 (13) Accept gifts, grants of funds, property or services for the overall
1042 project, stadium facility operations or any aspect thereof from any
1043 source, public or private, and comply, subject to the provisions of
1044 sections 26 to 46, inclusive, of public act 99-241*, as amended by this
1045 act, with the terms and conditions of such gift or grant, provided
1046 nothing in sections 26 to 46, inclusive, of public act 99-241, as amended
1047 by this act, shall be construed to authorize the expenditure for project
1048 costs of the overall project of other state funds not authorized,
1049 appropriated or otherwise designated for such purpose pursuant to
1050 sections 26 to 46, inclusive, of public act 99-241, as amended by this act,
1051 or otherwise identified for such purpose in the master development
1052 plan as filed with the clerks of the Senate and the House of
1053 Representatives on March 3, 2000, and further provided nothing in
1054 said sections 26 to 46, inclusive, shall be construed to authorize the
1055 expenditure for project costs of the stadium facility project of any state
1056 funds other than those authorized under section 28 of public act 99-
1057 241, as amended by this act;

1058 (14) Pay or reimburse the Office of Policy and Management, the
1059 authority, the university and other affected state agencies and political
1060 subdivisions of the state and any third parties incurring such costs at
1061 the request or with the approval of the state as certified by the
1062 secretary, for project costs of the [sportsplex or the parking facilities]
1063 overall project including, without limitation, preliminary costs [and
1064 expenses] arising prior to the effective date of [this act] public act 99-
1065 241, as amended by this act, or sections 32 to 37, inclusive, of this act;
1066 and

1067 (15) Do any and all other things necessary or convenient to carry out
1068 the purposes of and exercise the powers expressly granted pursuant to
1069 the secretary under [this act] sections 26 to 46, inclusive, of public act
1070 99-241*, as amended by this act.

1071 (b) The secretary, through the chief elected official of the town of

1072 East Hartford, shall establish an ongoing process for community input
1073 to the secretary and the stadium facility manager as to matters of local
1074 concern relating to the operation of the stadium facility. Such process
1075 shall include the establishment of a local advisory committee for the
1076 purpose of identifying, discussing and formulating recommendations
1077 with respect to ongoing relations between the stadium facility and the
1078 town of East Hartford. Such advisory committee shall be chaired by
1079 the chief elected official of the town of East Hartford and shall include
1080 two residents of the town of East Hartford living in the vicinity of the
1081 stadium facility and representatives of the stadium facility manager,
1082 the party furnishing the stadium facility site, the police department
1083 and the fire department of the town of East Hartford, the Office of
1084 Policy and Management and the university. Such advisory committee
1085 shall meet as needed as determined by the chief elected official of the
1086 town of East Hartford. Members of such advisory committee shall
1087 serve without compensation. The agreement with the stadium facility
1088 manager shall include such limitations on types of events and hours of
1089 operation at the stadium facility as the secretary shall determine to be
1090 reasonable and appropriate in light of the public purposes of the
1091 stadium facility and the impact of stadium operations on neighboring
1092 areas in the town of East Hartford. The secretary shall enter into an
1093 agreement with the town of East Hartford and any other affected town
1094 providing for the reimbursement of the reasonably determined
1095 incremental costs to such towns of additional public safety personnel
1096 required prior to, during and following events at the stadium facility
1097 as a result of expected crowds, traffic and other event-related activities.
1098 Such costs may be allocated by agreement between the secretary and
1099 the university and other event sponsors.

1100 (c) The secretary shall designate a stadium facility operations
1101 contract compliance officer from the Office of Policy and Management
1102 to monitor compliance of the stadium facility operations with the
1103 provisions of state law applicable to such operations, including, but
1104 not limited to, sections 26 to 46, inclusive, of public act 99-241, as
1105 amended by this act, and sections 32- to 38, inclusive, of this act and

1106 with applicable requirements of contracts entered into by the secretary,
1107 relating to set-asides for small contractors and minority business
1108 enterprises and required efforts to hire available and qualified
1109 members of minorities, as defined in section 32-9n and available and
1110 qualified residents of the town of East Hartford and the city of
1111 Hartford for jobs in such operations. Such officer shall file, each year
1112 during the period of stadium facility operations, a written report with
1113 the secretary as to findings and recommendations regarding such
1114 compliance.

1115 Sec. 10. Section 32 of public act 99-241 is repealed and the following
1116 is substituted in lieu thereof:

1117 (a) In the exercise of the powers and authority of the secretary
1118 pursuant to section 31 of [this act] public act 99-241, as amended by
1119 this act, the secretary may utilize private parties, by contract, to carry
1120 out the [sportsplex project, the parking project and] overall project and
1121 stadium facility operations and otherwise to effectuate the purposes of
1122 [this act] sections 26 to 46, inclusive, of public act 99-241*, as amended
1123 by this act. [, provided the state or a public instrumentality thereof, in
1124 the exercise of a governmental function, shall be and remain the owner
1125 of the sportsplex and all furniture, fixtures, equipment and other
1126 appurtenances purchased as an integral part thereof with the proceeds
1127 of bonds, other state moneys or moneys from the Hartford sportsplex
1128 capital replacement account, including having title to such real and
1129 personal property in the name of the state or a public instrumentality
1130 thereof.] The terms and conditions of such contracts shall be
1131 determined by the secretary, as shall the fees or other similar
1132 compensation to be paid to such private parties, provided that such
1133 contracts shall be structured or contain such terms and conditions as
1134 will enable the secretary to retain overall supervision and control of
1135 the [sportsplex and] stadium facility and stadium facility operations.
1136 [In no event shall any such contract result in any transfer by the
1137 secretary of control over naming rights with respect to the sportsplex.

1138 The prime] The secretary shall require, in connection with the
1139 development by or pursuant to agreement with the secretary of any
1140 aspect of the overall project or the on-site related private development,
1141 that each prime construction contractor shall either comply with the
1142 prevailing wage laws or enter into a project labor agreement [. The
1143 prime contractor and the facility manager] and shall make reasonable
1144 efforts to hire or cause to be hired [available and qualified residents of
1145 the city of Hartford and and] (1) in the case of the stadium facility project,
1146 available and qualified residents of the town of East Hartford and the
1147 city of Hartford, and available and qualified members of minorities, as
1148 defined in section 32-9n, for construction [and operation jobs at the
1149 sportsplex and the related parking facilities at all levels of construction
1150 and facility operations] jobs at all levels of construction activity, and (2)
1151 in the case of all other aspects of the overall project and the on-site
1152 related private development, available and qualified residents of the
1153 city of Hartford and available and qualified members of minorities, as
1154 defined in section 32-9n. The secretary shall require, in connection with
1155 stadium facility operations, that the stadium facility manager shall
1156 make reasonable efforts to hire or cause to be hired available and
1157 qualified residents of the town of East Hartford and the city of
1158 Hartford and available and qualified members of minorities, as
1159 defined in section 32-9n, for operations jobs at the stadium facility at
1160 all levels of stadium facility operations. Contracts entered into by the
1161 secretary with respect to the [sportsplex project, the parking project or]
1162 overall project, the on-site related private development or stadium
1163 facility operations or otherwise pursuant to the powers and authority
1164 by the secretary under section 31 of [this act] public act 99-241, as
1165 amended by this act, shall not be subject to the approval of any other
1166 state department, office or agency except as otherwise provided in
1167 [this act] sections 26 to 46, inclusive, of public act 99-241*, as amended
1168 by this act. Copies of all such contracts shall be maintained by the
1169 secretary as public records, subject to the proprietary rights of any
1170 party to the contract. Nothing in this section shall be deemed to restrict
1171 the discretion of the secretary to use the staff and work force of the
1172 Office of Policy and Management or of other available state

1173 departments, offices or agencies for the performance of any of [his] the
1174 secretary's responsibilities and functions whenever, in [his] the
1175 secretary's discretion, it is necessary, convenient or desirable to do so.
1176 Notwithstanding any provision of this subsection, the state or a public
1177 instrumentality thereof, in the exercise of a governmental function,
1178 shall be and remain the owner of the stadium facility and all furniture,
1179 fixtures, equipment and other appurtenances purchased as an integral
1180 part thereof with the proceeds of bonds, other state moneys or moneys
1181 from the stadium facility capital replacement account, including
1182 having title to such real and personal property in the name of the state
1183 or a public instrumentality thereof.

1184 (b) The provisions of sections 4-212 to 4-219, inclusive, regarding the
1185 award of personal service agreements through competitive negotiation
1186 shall be applicable to all contracts and agreements for professional,
1187 technical, consulting, financial or management services entered into by
1188 the secretary in connection with the overall project and stadium facility
1189 operations, including contracts with the design professional and the
1190 stadium facility manager and any other contracts and agreements
1191 entered into by the secretary with respect to the planning, design,
1192 feasibility or permitting of any aspect of the overall project, the
1193 management of site [assembly] acquisition or site preparation, or the
1194 management of, or provision of services in connection with, stadium
1195 facility operations. For purposes of this section, all such contracts and
1196 agreements shall be deemed to be personal service agreements for
1197 purposes of sections 4-212 to 4-219, inclusive, without regard to whether
1198 or not such contracts and agreements relate to contractual services, as
1199 defined in section 4a-50.

1200 (c) Notwithstanding any provision of the general statutes applicable
1201 to a state facility or public works project to the contrary, the secretary
1202 may select [the prime] any prime construction contractor on a negotiated
1203 basis, provided that the secretary shall invite not less than three qualified
1204 general contractors or construction managers with current construction

1205 experience with major projects of comparable scope to submit proposals
1206 to act as a prime construction contractor, which invitation may include
1207 minimum requirements established by the secretary pursuant to
1208 subdivision (5) of section 31 of [this act] public act 99-241, as amended by
1209 this act.

1210 (d) Notwithstanding any provision of the general statutes applicable
1211 to a state facility or public works project to the contrary, except as
1212 otherwise provided in subsection (c) of this section, all construction
1213 contracts entered into by the secretary with respect to the [sportsplex and
1214 the parking facilities] overall project shall be entered into on an open-bid
1215 or negotiated basis, except that in the discretion of the secretary, where
1216 the estimated expense of any such construction contract is more than one
1217 hundred thousand dollars, the secretary may determine that selection of
1218 a contractor for a particular construction contract through the
1219 prequalification and public letting process provided for in subsection (e)
1220 of this section is warranted, is expected to be cost effective and is in the
1221 public interest of the state.

1222 (e) (1) With respect to any construction contract that is to be publicly
1223 let pursuant to subsection (d) of this section, the secretary shall identify a
1224 list of potentially responsible qualified bidders for the particular contract,
1225 to which list the secretary may add additional names. Thereafter, the
1226 secretary shall give notice to those on the list of the work required and of
1227 the invitation to prequalify. The invitation to prequalify shall contain
1228 such information as the secretary shall deem appropriate and a
1229 statement of the time and place where the responses shall be received.
1230 Upon receipt of such responses, the secretary shall select each bidder
1231 which has shown itself able to post surety bonds required by such
1232 contract and has demonstrated that it possesses the financial, managerial
1233 and technical ability and the integrity necessary and without conflict of
1234 interest for faithful and efficient performance of the work provided for
1235 therein. The secretary shall evaluate whether a bidder is responsible and
1236 qualified based on its experience with projects similar to that for which

1237 the bid is to be submitted, and based on objective written criteria which
1238 shall be approved by the secretary and included in the request for
1239 prequalification with respect to such contract. In lieu of such
1240 prequalification process, the secretary may deem to be prequalified those
1241 bidders listed on any list of qualified bidders maintained by the
1242 Department of Public Works or the Department of Transportation if the
1243 secretary determines that such list is appropriate in light of the scope and
1244 type of contract to be let.

1245 (2) The secretary shall thereafter give notice to those so prequalified of
1246 the time and place where the public letting shall occur and shall include
1247 in such notice such information of the work required as appropriate. At
1248 the time and place as set forth in the notice, the secretary shall publicly
1249 open and read the bids. The secretary shall not award any construction
1250 contract after public letting except to the responsible qualified bidder
1251 submitting the lowest bid and in compliance with the bid requirements.
1252 The secretary may, however, waive any informality in a bid, and may
1253 either reject all bids and again advertise for bids, or, enter into such
1254 construction contract on a negotiated basis.

1255 (3) The invitation to bid and the construction contract awarded shall
1256 contain such other terms and conditions, and such provisions for
1257 penalties, as the secretary may deem appropriate.

1258 (f) Any other agency or department of the state undertaking work
1259 related to the overall project, including work pursuant to subdivision
1260 (8) or (12) of section 31 of public act 99-241, as amended by this act,
1261 may select and engage professionals, consultants and contractors in the
1262 same manner as provided in section 32 of public act 99-241, as
1263 amended by this act, in the case of the secretary, notwithstanding any
1264 provision of the general statutes.

1265 (g) The naming rights with respect to the stadium facility shall be
1266 subject to the control of the secretary, provided the secretary is

1267 authorized to enter into an agreement with the party furnishing the
1268 stadium facility site which agreement provides (1) that for a period not
1269 in excess of fifteen years from the date of the first event at the stadium
1270 facility the secretary shall agree not to offer such naming rights for
1271 commercial or other purposes and that the stadium facility shall be
1272 known as "Rentschler Field" to commemorate the seventy-five-year
1273 history of Pratt and Whitney Aircraft Company and its founder,
1274 Frederick B. Rentschler, (2) for a donation by such party to the
1275 secretary of two million dollars for use by the secretary for any traffic
1276 and road improvement in the vicinity of the stadium facility deemed
1277 necessary or desirable by the secretary to facilitate stadium facility
1278 operations, (3) if, at the expiration of the period of fifteen years
1279 referred to in subdivision (1) of this subsection, the secretary offers the
1280 naming rights with respect to the stadium facility for commercial or
1281 other purposes (A) such party shall have a right of first refusal with
1282 respect to the purchase of such naming rights, (B) the naming rights
1283 shall be offered on the condition that the name of the stadium shall
1284 include the phrase "at Rentschler Field" following the name selected,
1285 and (C) such party shall have a right to approve any name selected,
1286 such approval not to be unreasonably withheld or delayed.

1287 (h) Subject to the limitations of any agreement with the party
1288 furnishing the stadium facility site entered into pursuant to subsection
1289 (g) of this section, at such time as the secretary is permitted by such
1290 agreement to offer the naming rights with respect to the stadium
1291 facility for commercial or other purposes, the secretary is authorized to
1292 offer and sell such naming rights on the basis of a request for proposals
1293 and a process of competitive negotiation, subject to the advice of bond
1294 counsel to the state with respect to any private activity or similar
1295 restrictions that would result in an event of taxability with respect to
1296 any bonds issued or to be issued on a tax-exempt basis.

1297 (i) The secretary and the authority shall jointly select and appoint an
1298 independent construction contract compliance officer or agent, which

1299 may be an officer or agency of a political subdivision of the state, other
1300 than the authority, or a private consultant experienced in similar
1301 public contract compliance matters, to monitor compliance by the
1302 secretary, the authority, the project manager and each prime
1303 construction contractor with the provisions of applicable state law,
1304 including sections 1 to 37, inclusive, of this act, and with applicable
1305 requirements of contracts with the secretary or the authority, relating
1306 to set-asides for small contractors and minority business enterprises
1307 and required efforts to hire available and qualified members of
1308 minorities and available and qualified residents of the city of Hartford
1309 and the town of East Hartford for construction jobs with respect to the
1310 overall project and the on-site related private development. Such
1311 independent contract compliance officer or agent shall file a written
1312 report of his or her findings and recommendations with the secretary
1313 and the authority each quarter during the period of project
1314 development.

1315 Sec. 11. Section 33 of public act 99-241 is repealed and the following
1316 is substituted in lieu thereof:

1317 (a) The secretary shall prepare each fiscal year an annual operating
1318 and capital [budgets] budget for the [sportsplex and the parking
1319 facilities] stadium facility and shall submit [copies] a copy of such
1320 [budgets] budget to the joint standing committees of the General
1321 Assembly having cognizance of matters relating to finance, revenue
1322 and bonding and appropriations.

1323 (b) The secretary is authorized to establish with the Treasurer and
1324 administer a separate nonlapsing enterprise fund to be known as the
1325 ["Hartford Sportsplex Enterprise Fund"] "Stadium Facility Enterprise
1326 Fund". All revenues received by the secretary with respect to the use,
1327 operation and management of the [sportsplex or the parking facilities,]
1328 stadium facility, including revenues from stadium parking and the sale
1329 of naming rights and including any General Fund appropriation or

1330 other moneys received from federal, state, municipal and private
1331 sources, other than the amount made available to the secretary by
1332 United Technologies Corporation for traffic and road improvements
1333 pursuant to the authority granted in subsection (g) of section 32 of
1334 public act 99-241, as amended by this act, shall be deposited with the
1335 Treasurer to the credit of such fund. The secretary is authorized to pay,
1336 and the resources of such fund shall be available for and applied to,
1337 the costs and expenses of stadium facility operations. Such payments
1338 shall be made by the Treasurer on warrants issued by the Comptroller,
1339 upon order of the secretary or a designee.

1340 (c) A capital replacement reserve subaccount shall be established
1341 within the [Hartford Sportsplex] Stadium Facility Enterprise Fund, to
1342 be known as the ["Hartford sportsplex] stadium facility capital
1343 replacement account". Any surplus remaining in the [Hartford
1344 Sportsplex] Stadium Facility Enterprise Fund at the end of any fiscal
1345 year, to the extent not required, in the judgment of the secretary, to be
1346 reserved for the purpose of deferred maintenance or repairs, the
1347 addition or replacement of furniture, fixtures and equipment, working
1348 capital, or the funding of projected operating deficits or similar
1349 contingencies, shall be transferred to the [Hartford sportsplex] stadium
1350 facility capital replacement account. Moneys in the [Hartford
1351 sportsplex] stadium facility capital replacement account shall be
1352 available and used for the costs of capital replacements, restorations,
1353 alterations, improvements, additions and enhancements to the
1354 [sportsplex and the parking facilities] stadium facility, including the
1355 costs of maintenance and repairs for which funds are not otherwise
1356 available in the [Hartford Sportsplex] Stadium Facility Enterprise
1357 Fund. Requisition and payment from the [Hartford sportsplex]
1358 stadium facility capital replacement account shall be in accordance
1359 with the procedures established [above] in subsection (b) of this
1360 section with respect to the [Hartford Sportsplex] Stadium Facility
1361 Enterprise Fund generally, except that the order of the secretary with
1362 respect thereto shall include a certification that the costs for which
1363 payment is requested are capital costs in accordance with the current

1364 capital budget or are capital costs not anticipated in the current capital
1365 budget but necessary in order to repair, restore or reconstruct the
1366 [sportsplex and the parking facilities] stadium facility following a
1367 casualty loss, to preserve the structural integrity of the [sportsplex or
1368 the parking facilities] stadium facility, to protect public health or
1369 safety, or to avoid an interruption in stadium facility operations.

1370 (d) Notwithstanding the [foregoing] provisions of this subsection,
1371 the secretary is authorized to enter into agreements including, but not
1372 limited to, lease, license, management, marketing, ticketing,
1373 merchandising or concession agreements, which provide for the
1374 collection, retention or sharing of facility revenues by the university,
1375 the authority or other public or private entities, provided [that] (1)
1376 such arrangements are not inconsistent in any material respect with
1377 the operating budget, are otherwise on terms not materially less
1378 favorable to the state than the terms customary in the industry for
1379 similar facilities and arrangements, except in the case of the university
1380 or the authority to the extent otherwise contemplated in the master
1381 development plan, and (2) such arrangements do not result in private
1382 business use of the [sportsplex or the parking facilities] stadium facility
1383 for purposes of Section 141(b) of the Internal Revenue Code to an
1384 extent that would result in an event of taxability with respect to any
1385 bonds issued on a tax-exempt basis.

1386 Sec. 12. Section 35 of public act 99-241 is repealed and the following
1387 is substituted in lieu thereof:

1388 (a) The secretary may take all or a portion of the real property [in
1389 the capital city economic development district for use as the sportsplex
1390 site and the parking facilities site, including all such] comprising the
1391 Adriaen's Landing site, and such off-site real property as may be
1392 determined by the secretary to be necessary to implement related
1393 infrastructure improvements. The owner or owners of such real
1394 property shall be paid by the state for all damages, and the state shall

1395 receive from such owner the amount or value of all benefits, resulting
1396 from such taking or [construction] development of the [sportsplex and
1397 the parking facilities] Adriaen's Landing site, including related site
1398 preparation and infrastructure improvements. The assessment of such
1399 damages and of such benefits shall be made by the secretary and filed
1400 by the secretary with the clerk of the superior court for the judicial
1401 district in which the real property is located. The assessment shall
1402 include the name and address of each person having an interest of
1403 record in the property. The clerk shall give notice of such assessment
1404 to each person having an interest of record in the property by mailing
1405 to each a copy of the same, postage prepaid. No entry fee shall be
1406 charged for the filing of such assessments. At any time after such
1407 assessment has been made by the secretary, the physical construction
1408 of the [sportsplex and the] convention center, the related parking
1409 facilities, the on-site related private development and related site
1410 preparation and infrastructure improvements may be started.

1411 (b) If notice cannot be given to any person entitled to such notice
1412 because such person's whereabouts or existence is unknown, notice
1413 may be given by publishing a notice at least twice in a newspaper
1414 published in said judicial district and having a daily or weekly
1415 circulation in the town and city of Hartford. Any such published notice
1416 shall state that it is a notice to the last owner of record or such person's
1417 surviving spouse, heirs, administrators, assigns, representatives or
1418 creditors, if such person is deceased, and shall contain a brief
1419 description of the property taken. Notice shall also be given by mailing
1420 to each such person at such person's last-known address, by registered
1421 or certified mail, a copy of such notice. If, after a search of the land and
1422 probate records, the address of any interested party cannot be found,
1423 an affidavit stating such facts and reciting the steps taken to establish
1424 the address of any such person shall be filed with the clerk of the
1425 superior court and accepted in lieu of service of such notice by mailing
1426 the same to the last-known address of such person.

1427 (c) Upon filing an assessment with the clerk of the superior court,
1428 the secretary shall forthwith sign and file for record with the town
1429 clerk of the town and city of Hartford, a certificate setting forth the fact
1430 of such taking, a description of the real property so taken and the
1431 names and residences of the owners from whom it was taken. Upon
1432 the filing of such certificate, title to such real property in fee simple
1433 shall vest in the state, except that, if it is so specified in such certificate,
1434 a lesser estate, interest or right shall vest in the state. The secretary
1435 shall permit the last owner of record of such real property upon which
1436 a residence is situated to remain in such residence, rent free, for a
1437 period of one hundred twenty days after the filing of such certificate.

1438 (d) The secretary may purchase any real property and take a deed
1439 thereof in the name of the state when such real property is needed, in
1440 the secretary's opinion, in connection with the construction of the
1441 [sportsplex, the] convention center, the related parking facilities, the
1442 on-site related private development or related site preparation and
1443 infrastructure improvements, provided any purchase price for any of
1444 such real property in an amount in excess of the sum of fifteen
1445 thousand dollars shall be approved by a state referee. The secretary,
1446 with the advice and consent of the Attorney General, may settle and
1447 compromise any claim by any person, claiming to be aggrieved by
1448 such construction, by the payment of money or the transfer of other
1449 real property [acquired for or in connection with the sportsplex and
1450 the parking facilities] available for such purpose.

1451 (e) The secretary may take or purchase real property abutting or
1452 near the [convention center site, the sportsplex site, the parking
1453 facilities] Adriaen's Landing site or any related infrastructure
1454 improvements for the purpose of protecting the functional
1455 characteristics of the convention center, [the sportsplex or] the related
1456 parking facilities or the on-site related private development or such
1457 infrastructure improvements or to protect public safety or to
1458 implement such infrastructure improvements and may take or

1459 purchase any public service facility on or off the [convention center
1460 site, the sportsplex site or the parking facilities] Adriaen's Landing site
1461 to the extent determined by the secretary to be necessary in the public
1462 interest to insure that no interruption in service results from any
1463 removal or relocation from the [sportsplex site or the parking facility]
1464 Adriaen's Landing site of any generation plant or other integral
1465 component of any such public service facility, in each case without
1466 regard to any other existing public use of such property. Such taking
1467 or purchase shall be in the same manner and with like powers as
1468 authorized and exercised by the secretary in taking or purchasing real
1469 property for the [sportsplex and the parking facilities] Adriaen's
1470 Landing site. In the event of any such taking or purchase of a public
1471 service facility, the secretary may sell such public service facility to, or
1472 make such other arrangements for the use and operation of such public
1473 service facility by, any qualified private or public entity, including the
1474 Connecticut Resource Recovery Authority, on such terms as the
1475 secretary determines to be in the public interest.

1476 (f) As used in [this act] sections 26 to 46, inclusive, of public act 99-
1477 241*, as amended by this act, "public service facility" means all
1478 privately, publicly or cooperatively owned lines, facilities and systems,
1479 and related real property interests, for producing, transmitting or
1480 distributing communications, cable television, power, electricity, light,
1481 heat, gas, oil, crude products, water, including heated or chilled water,
1482 steam, waste, storm water not connected with highway drainage and
1483 any other similar commodities, including fire and police signal
1484 systems and street lighting systems which directly or indirectly serve
1485 the public. Whenever the secretary determines that the construction or
1486 reconstruction of the convention center, [the sportsplex or] the related
1487 parking facilities or the on-site related private development or related
1488 site preparation and infrastructure improvements necessitates the
1489 readjustment or relocation of any public service facility located within,
1490 on, along, over or under any land comprising the right-of-way of a
1491 state highway or any other public highway within, or removal of any
1492 such public service facility from, such right-of-way, the secretary shall

1493 issue an appropriate order to the company, corporation or
1494 municipality owning or operating such facility, and such company,
1495 corporation or municipality shall readjust, relocate or remove the same
1496 promptly in accordance with such order; provided an equitable share
1497 of the cost of such readjustment, relocation or removal, including the
1498 cost of installing and constructing a facility of equal capacity in a new
1499 location, shall be borne by the state. Such equitable share, in the case of
1500 or in connection with the construction or reconstruction of the
1501 convention center; [, the sportsplex] or the related parking facilities [.]
1502 shall be the entire cost, less the deductions as provided in this
1503 subsection. In establishing the equitable share of the cost to be borne
1504 by the state, there shall be deducted from the cost of the readjusted,
1505 relocated or removed public service facilities a sum based on a
1506 consideration of the value of materials salvaged from existing
1507 installations, the cost of the original installation, the life expectancy of
1508 the original public service facility and the unexpired term of such life
1509 use. When any public service facility is removed from the right-of-way
1510 of a public highway to a private right-of-way, the state shall not pay
1511 for such private right-of-way, provided, when a municipally-owned
1512 public service facility is thus removed from a municipally-owned
1513 highway, the state shall pay for the private right-of-way needed by the
1514 municipality for such relocation. If the secretary and the company,
1515 corporation or municipality owning or operating such public service
1516 facility cannot agree upon the share of the cost to be borne by the state,
1517 either may apply to the superior court for the judicial district within
1518 which such facility is situated for a determination of the cost to be
1519 borne by the state, and said court or such judge, after causing notice of
1520 the pendency of such application to be given to the other party, shall
1521 appoint a trial referee to make such determination. Such trial referee,
1522 having given at least ten days' notice to the parties interested of the
1523 time and place of the hearing, shall hear both parties, shall view such
1524 facility, shall take such testimony as such trial referee deems material
1525 and shall thereupon determine the amount of the cost to be borne by
1526 the state. Such determination shall, subject to right of appeal as in civil
1527 actions, be conclusive upon both parties.

1528 (g) Notwithstanding any provision of the general statutes, when the
1529 secretary finds it necessary that real property, the title to which is in
1530 the state or any municipality, political subdivision, public authority,
1531 district, quasi-public agency or other governmental entity and which is
1532 under the custody and control of any state department, commission or
1533 institution, municipality, political subdivision, public authority,
1534 district, quasi-public agency or other governmental entity, be taken for
1535 the purpose of constructing the convention center, [the sportsplex or
1536 the parking facilities] the related parking facilities, the on-site related
1537 private development or related site preparation and infrastructure
1538 improvements, the secretary shall present a petition to such an entity
1539 having custody and control of such real property that custody of the
1540 real property be transferred to the secretary or the authority and such
1541 entity shall transfer the custody and control of such real property to
1542 the secretary or the authority for the purposes required.

1543 (h) The secretary or an agent may enter upon private real property
1544 for the purpose of conducting surveys, inspections, appraisals, or
1545 environmental and geological investigations for the location or
1546 construction of the convention center, [the sportsplex and the parking
1547 facilities] the related parking facilities, the on-site related private
1548 development or related site preparation and infrastructure
1549 improvements. After giving reasonable notice to the real property
1550 owner or owners affected, the secretary or an agent may also enter
1551 such property for the purpose of performing borings, soundings or
1552 other tests required to accomplish any of the foregoing objectives with
1553 respect to the [sportsplex or the parking facilities] convention center,
1554 the related parking facilities, the on-site related private development
1555 or related site preparation or infrastructure improvements. The
1556 secretary or an agent shall use care so that no unnecessary damage
1557 shall result and the state shall pay damages to the owner of any real
1558 property for any damage or injury the secretary causes such owner by
1559 such entrance and use. If entry to any real property for the purpose of
1560 performing borings, soundings or other tests is refused to the secretary
1561 or an agent after the secretary has given reasonable notice to the owner

1562 or owners thereof, the secretary shall assess damages in the manner
1563 provided by this section and, at any time after such assessment has
1564 been made by said secretary, may enter said property for the purpose
1565 of performing borings, soundings or other tests. If the real property
1566 owner accepts such assessment of damages, such owner shall notify
1567 the secretary in writing, and said secretary shall pay such sum to said
1568 real property owner within thirty days or, after the expiration of said
1569 thirty days, shall pay such sum with interest at six per cent. If the real
1570 property owner is aggrieved by such assessment such owner shall
1571 notify the secretary in writing and may appeal to any court within its
1572 jurisdiction for a reassessment of such damages within six months
1573 from the date said secretary forwarded such assessment to such owner.
1574 This section shall not limit or modify rights of entry upon property
1575 otherwise provided for by the general statutes.

1576 Sec. 13. Section 37 of public act 99-241 is repealed and the following
1577 is substituted in lieu thereof:

1578 Any real property owner claiming to be aggrieved by the
1579 assessment of such damages or such benefits by the [Secretary of the
1580 Office of Policy and Management] secretary may, not later than six
1581 months after the same has been filed, apply to the superior court for
1582 the judicial district in which such real property is located for a
1583 reassessment of such damages or such benefits so far as the same affect
1584 such applicant, and said court, after causing notice of the pendency of
1585 such application to be given to said secretary, shall appoint a trial
1586 referee to make such reassessment of such damages or such benefits.
1587 Such trial referee, having given at least ten days' notice to the parties
1588 interested of the time and place of hearing, shall hear the applicant and
1589 said secretary, shall view the real property and take such testimony as
1590 the trial referee deems material and shall thereupon reassess such
1591 damages and benefits so far as they affect the applicant. If the amount
1592 of the reassessment of such damages awarded to any such property
1593 owner exceeds the amount of the assessment of such damages by the

1594 secretary for the real property, the trial referee shall award to the
1595 property owner such appraisal fees as the trial referee determines to be
1596 reasonable. If no appeal to the Appellate Court is filed within the time
1597 allowed by law, or if one is filed and the proceedings have terminated
1598 in a final judgment finding the amount due the real property owner,
1599 the clerk shall send a certified copy of the assessment of the secretary
1600 and of the judgment to the Comptroller, who shall, upon receipt
1601 thereof, draw an order on the Treasurer in favor of the real property
1602 owner for the amount due such owner as damages. The pendency of
1603 any such application for reassessment shall not prevent or delay the
1604 construction of the [sportsplex and the parking facilities] convention
1605 center, the related parking facilities, the on-site related private
1606 development or related site preparation or infrastructure
1607 improvements. As used in this section and sections 35 and 36 of [this
1608 act] public act 99-241, as amended by this act, "trial referee" means a
1609 referee appointed pursuant to subdivision (1) or (2) of subsection (a) of
1610 section 52-434 and designated a trial referee pursuant to subsection (b)
1611 of said section 52-434.

1612 Sec. 14. Section 38 of public act 99-241 is repealed and the following
1613 is substituted in lieu thereof:

1614 In any appeal to the Superior Court taken under and by virtue of
1615 sections 35 to 40, inclusive, of [this act] public act 99-241, as amended
1616 by this act, when the appellant obtains an award from the court greater
1617 than that awarded by the Secretary of the Office of Policy and
1618 Management, court costs shall be awarded the appellant and taxed
1619 against the state in addition to the amount fixed by the judgment.

1620 Sec. 15. Subsection (b) of section 39 of public act 99-241 is repealed
1621 and the following is substituted in lieu thereof:

1622 (b) The provisions of this section, subsections (a) to (c), inclusive, of
1623 section 35 of [this act] public act 99-241, as amended by this act, and

1624 sections 37 and 38 of [this act] public act 99-241, as amended by this
1625 act, shall not apply in the case of any construction of the [sportsplex or
1626 the parking facilities] convention center, the related parking facilities,
1627 the on-site related private development or related site preparation or
1628 infrastructure improvements for which the town and city of Hartford
1629 is liable to pay to the owner any damages or to receive from the owner
1630 any benefits except as provided in sections 35 to 40, inclusive, of [this
1631 act] public act 99-241, as amended by this act.

1632 Sec. 16. Section 40 of public act 99-241 is repealed and the following
1633 is substituted in lieu thereof:

1634 When the [Secretary of the Office of Policy and Management]
1635 secretary desires to take property [for the sportsplex or the parking
1636 facilities] comprising all or a part of the Adriaen's Landing site and has
1637 entered into an agreement to purchase at a stipulated amount any real
1638 property with the owner or owners thereof and the amount agreed to
1639 be paid for such real property or interest is not paid within ninety days
1640 from the date when the owner or owners of such property file with the
1641 secretary a notice in writing of acceptance of such agreement, interest
1642 at four per cent per annum shall be paid on such amount by the state
1643 unless the property owner fails to furnish clear title within such
1644 ninety-day period. Such interest shall commence to accrue at the end
1645 of such ninety-day period, whether or not an assessment has been filed
1646 as provided in subsection (a) of section 35 of [this act] public act 99-
1647 241, as amended by this act. Whenever the state enters into possession
1648 of real property being condemned prior to the date of execution of
1649 such an agreement, such interest shall commence to accrue from the
1650 date of actual taking of possession by the state.

1651 Sec. 17. Subsections (j), (k) and (l) of section 41 of public act 99-241
1652 are repealed and the following is substituted in lieu thereof:

1653 (j) The Capital City Economic Development Authority shall be

1654 considered the state agency responsible for preparing the written
1655 evaluation of the impact of the [overall project] convention center
1656 project and the parking project on the environment, and the Office of
1657 Policy and Management shall be responsible for preparing the written
1658 evaluation of the impact of the stadium facility project on the
1659 environment, in accordance with the requirements set forth in section
1660 22a-1b and the regulations adopted thereunder. The scope of each such
1661 written evaluation shall include each related activity, facility or project
1662 which the authority or the Office of Policy and Management,
1663 respectively, determines should be considered part of the same
1664 sequence of planned activities as the [sportsplex project, the]
1665 convention center project, [and] the parking project or the stadium
1666 facility project, as the case may be, for purposes of section 22a-1c,
1667 including any [hotel] housing, retail, entertainment, recreation,
1668 [housing or parking] office, parking or hotel project or facility
1669 proposed to be integrated with or developed or used in conjunction
1670 with the [sportsplex] stadium facility or the convention center, and any
1671 public service facility proposed to be constructed or relocated, either
1672 on or off the [sportsplex site, the parking facilities site or the
1673 convention center] Adriaen's Landing site, as a result of or in
1674 connection with the overall project. The authority is authorized to
1675 assist the city of Hartford in the preparation and processing of any
1676 environmental impact statement with respect to such sequence of
1677 planned activities or any part thereof required to be undertaken by the
1678 city of Hartford on behalf of any federal agency under the National
1679 Environmental Policy Act, and the Office of Policy and Management is
1680 authorized to assist the town of East Hartford in the preparation and
1681 processing of any environmental impact statement with respect to such
1682 sequence of planned activities or any part thereof required to be
1683 undertaken by the town of East Hartford on behalf of any federal
1684 agency under the National Environmental Policy Act. Such assistance
1685 may include the expansion of the scope of the environmental
1686 evaluation undertaken by the authority or the Office of Policy and
1687 Management to the extent necessary to satisfy the requirements of the
1688 National Environmental Policy Act and assistance with such

1689 additional procedural requirements as may pertain thereto. The
1690 authority, [and] the city of Hartford, [may enter into a memorandum]
1691 the Office of Policy and Management and the town of East Hartford
1692 may enter into memoranda of understanding with respect to such
1693 assistance, which may include [provision] provisions for an
1694 appropriate allocation of any additional costs incurred by the authority
1695 or the Office of Policy and Management, respectively, in connection
1696 therewith. To the extent that any activity, facility or project of any
1697 other public or private entity is included in any environmental
1698 evaluation undertaken by the authority, [the authority] or the Office of
1699 Policy and Management, the authority or the Office of Policy and
1700 Management, as the case may be, shall be entitled to receive payment
1701 or reimbursement of such entity's allocable share of the costs incurred
1702 by the authority or the Office of Policy and Management, respectively,
1703 in connection therewith. [Such evaluation] Each such evaluation shall
1704 include a description of the permits, licenses or other approvals
1705 required from the Commissioner of Environmental Protection for the
1706 overall project. The authority and the Office of Policy and
1707 Management, as the case may be, shall submit [such evaluation] their
1708 evaluations and a summary thereof, including any negative findings to
1709 the Commissioner of Environmental Protection and the secretary and
1710 shall make the [evaluation and summary] evaluations and summaries
1711 available to the public for inspection and comment at the same time.
1712 Notwithstanding the regulations adopted pursuant to section 22a-1a,
1713 the authority and the Office of Policy and Management each shall hold
1714 a public hearing on [the] its evaluation and shall publish notice of the
1715 availability of [such] its evaluation and summary in a newspaper of
1716 general circulation in the city of Hartford and, with respect to the
1717 stadium facility project, the town of East Hartford not less than
1718 fourteen calendar days before the date of such hearing. Any person
1719 may comment at the public hearing or in writing not later than the
1720 second day following the close of the public hearing. All public
1721 comments received by the authority and the Office of Policy and
1722 Management, as the case may be, shall be promptly forwarded to the
1723 Commissioner of Environmental Protection and the secretary and shall

1724 be made available for public inspection. Nothing in subsection (b) of
1725 section 22a-1 shall be deemed to require that any such written
1726 evaluation of environmental impact be completed prior to the award
1727 of contracts, the incurrence of obligations or the expenditure of funds
1728 in connection with the acquisition of the [sportsplex site, the parking
1729 facilities site or the convention center] Adriaen's Landing site or the
1730 stadium facility site, planning and engineering studies for site
1731 preparation or preliminary site preparation work not requiring permits
1732 or approvals not yet obtained, or the planning and design of the
1733 [sportsplex] stadium facility and the related parking facilities or the
1734 convention center. Nothing in this section shall be deemed to require
1735 that applications for licenses, permits, approvals or other
1736 administrative action in connection with all aspects of the overall
1737 project be submitted or acted upon at the same time if not otherwise
1738 required by law.

1739 (k) The secretary shall review the [evaluation] evaluations, together
1740 with the comments thereon, and shall make a written determination as
1741 to whether such [evaluation satisfies] evaluations satisfy the
1742 requirements of sections 22a-1a to 22a-1c, inclusive, which
1743 determination shall be made public and forwarded to the authority no
1744 later than ten days after the close of the hearing. The secretary may
1745 require the revision of [the] either evaluation if the secretary finds that
1746 the evaluation is inadequate. In making a determination, the secretary
1747 shall take into account all public and agency comments.

1748 (l) In exercising jurisdiction over any license, permit or approval
1749 required in connection with the overall project, the Commissioner of
1750 Environmental Protection shall take into consideration all public
1751 comments received in connection with the [evaluation] evaluations
1752 submitted by the authority or the Office of Policy and Management, as
1753 the case may be, pursuant to subsection (j) of this section if and to the
1754 extent available at such time and shall make written findings with
1755 respect to any such comments which are relevant to the issuance or

1756 denial of any such license or permit or the grant or denial of any such
1757 approval. For applications to the Commissioner of Environmental
1758 Protection requiring a public hearing and to the extent practicable in
1759 light of the development schedule for the overall project, there shall be
1760 a single submission date. The Commissioner of Environmental
1761 Protection shall adopt a master administrative process for any licenses,
1762 permits or approvals or administrative actions which would otherwise
1763 have required a public hearing pursuant to statute or regulation,
1764 which, to the extent practicable in light of the development schedule
1765 for the overall project, shall include a single public hearing for the
1766 convention center project and the parking project, and a single public
1767 hearing for the stadium facility project. Any such public hearing shall
1768 be limited to considering issues or factors not included in the related
1769 environmental evaluation. The provisions of subsection (d) of this
1770 section regarding deadlines for administrative action shall not apply to
1771 any license or permit issued or any approval granted by the
1772 Commissioner of Environmental Protection. The Commissioner of
1773 Environmental Protection shall issue a notice of sufficiency concerning
1774 the completeness of any application within fourteen days of receipt.
1775 The master process shall provide for department review, public
1776 comment and the holding of a public hearing within thirty days of the
1777 notice of sufficiency. The commissioner shall have thirty days from the
1778 close of [the] a public hearing to issue a decision. For licenses, permits,
1779 approvals and administrative actions not requiring a public hearing,
1780 the Commissioner of Environmental Protection may issue a decision or
1781 take administrative action at any time as may otherwise be permitted
1782 by applicable laws and regulations, but in no event later than thirty
1783 days following the completion of any public hearing relating to the
1784 same aspect of the overall project.

1785 Sec. 18. Section 42 of public act 99-241 is repealed and the following
1786 is substituted in lieu thereof:

1787 (a) [The] Except as otherwise provided in sections 26 to 46,

1788 inclusive, of public act 99-241, as amended by this act, the following
1789 provisions of the general statutes, including regulations adopted
1790 thereunder, shall not apply to the [sportsplex project and the parking]
1791 overall project: [Sections] Section 3-14b, [4-61,] subdivisions (12), (13)
1792 and (14) of section 4-166, sections 4-167 to 4-174, inclusive, 4-181a, 4a-1
1793 to 4a-59a, inclusive, 4a-63 to 4a-76, inclusive, title 4b, [and] section 16a-
1794 31, [except as otherwise provided in this act. The following provisions
1795 of the general statutes, including regulations promulgated thereunder,
1796 shall not apply to the overall project: Chapters] chapters 97a, 124 and
1797 126, sections 14-311 to 14-314c, inclusive, 19a-37, 22a-16 and subsection
1798 (a) of section 22a-19. For the purposes of section 22a-12, construction
1799 plans relating to the [sportsplex project and the parking] overall
1800 project shall not be considered construction plans required to be
1801 submitted by state agencies to the Council on Environmental Quality.
1802 Notwithstanding any provision of any special act, charter, ordinance,
1803 home rule ordinance or chapter 98 of the general statutes no provision
1804 of any such act, charter or ordinance or said chapter 98, concerning
1805 licenses, permits or approvals by a political subdivision of the state
1806 pertaining to building demolition or construction shall apply to the
1807 overall project and, notwithstanding any provision of the general
1808 statutes, the State Building Inspector and the State Fire Marshal shall
1809 have original jurisdiction with respect to the administration and
1810 enforcement of the State Building Code and the State Fire Safety Code,
1811 respectively, with respect to all aspects of the overall project,
1812 including, without limitation, the conduct of necessary reviews and
1813 inspections and the issuance of any building permit, certificate of
1814 occupancy or other necessary permits or certificates related to building
1815 construction, occupancy or fire safety. [The provisions of section 4-61
1816 of the general statutes shall not apply to the sportsplex project and the
1817 parking project.] For the purposes of part III of chapter 557 of the
1818 general statutes, the [sportsplex] stadium facility project, the
1819 convention center project and the parking project shall be deemed to
1820 be a public works project and consist of public buildings except that
1821 the provisions relating to payment of prevailing wages to workers in
1822 connection with a public works project including, but not limited to,

1823 section 31-53 shall not apply to the [sportsplex] stadium facility project,
1824 the convention center project and the parking project if the [prime]
1825 project manager or the prime construction contractor has negotiated
1826 other wage terms pursuant to a project labor agreement. The
1827 provisions of section 2-32c and subsection (c) of section 2-79a of the
1828 general statutes shall not apply to any provisions of [this act] public act
1829 99-241*, as amended by this act, or chapter 588x of the general statutes
1830 concerning the overall project. Any building permit application with
1831 respect to the [sportsplex or related parking facilities] overall project
1832 shall be exempt from the assessment of an education fee under
1833 subsection (b) of section 29-252a.

1834 (b) [As state-owned facilities, the] The operation of the [sportsplex
1835 and the] convention center, the stadium facility and the related
1836 parking facilities shall be subject to [such] applicable ordinances, laws
1837 or regulations [as are applicable] relating to [a state facility] state
1838 facilities, provided the operation of the [sportsplex] convention center,
1839 stadium facility and the related parking facilities shall not be subject to
1840 the following provisions of the general statutes, including any
1841 regulations adopted thereunder: Sections 4a-1 to 4a-59a, inclusive, title
1842 4b, chapter 97a, and sections 10-303 and 14-311 to 14-314c, inclusive.
1843 For the purposes of subsection (g) of section 22a-68, the activities at the
1844 [sportsplex] stadium facility shall be deemed sanctioned by the state.

1845 Sec. 19. Section 43 of public act 99-241 is repealed and the following
1846 is substituted in lieu thereof:

1847 [Notwithstanding any provision of the general statutes, the
1848 convention center, the sportsplex, the parking facilities, the convention
1849 center site, the sportsplex site, the parking facilities site, and any
1850 leasehold interest in said facilities and sites shall be exempt from real
1851 property taxation and assessment by the municipalities in which such
1852 facilities and sites are located, including sections 12-19a and 12-19b
1853 which provides for grants in lieu of taxes on state-owned property.

1854 Notwithstanding the foregoing, on or before January first, annually,
1855 the owner or lessee of the convention center hotel, if located on the
1856 convention center site or other state-owned property, and of each
1857 nonevent business area, except any such owner or lessee that would
1858 otherwise be exempt from municipal real property taxation with
1859 respect to such use under section 12-81 shall pay as a payment in lieu
1860 of taxes, to the municipality in which such convention center hotel and
1861 nonevent business areas are located, the amount equal to the total of
1862 one hundred per cent of the real property taxes which would have
1863 been paid with respect to such convention center hotel or nonevent
1864 business area, as the case may be, if such hotel or area were treated as a
1865 separately assessable parcel of real property not subject to exemption
1866 as state-owned property.]

1867 Any land on the Adriaen's Landing site leased by the secretary for
1868 purposes of site acquisition from the party owning such land on the
1869 effective date of this act for an initial term of at least ninety-nine years
1870 shall, while such lease remains in effect, be deemed to be state-owned
1871 real property for purposes of sections 12-19a and 12-19b and
1872 subdivision (2) of section 12-81 and the state shall make grants in lieu
1873 of taxes with respect to such land to the municipality in which the
1874 same is located as otherwise provided in sections 12-19a and 12-19b.

1875 Sec. 20. (NEW) No officer or employee of the state executing any
1876 agreement with respect to all or any portion of the overall project or
1877 stadium facility operations, or otherwise pursuant to sections 36 to 46,
1878 inclusive, of public act 99-241, as amended by this act, shall be liable
1879 personally or be subject to any personal liability or accountability
1880 under such agreement. The state shall protect, save, hold harmless and
1881 indemnify such officer and employee of the state against any and all
1882 financial loss or expense therefor including, without limitation, any
1883 legal expenses related thereto by reason of the execution thereof.

1884 Sec. 21. Section 46 of public act 99-241 is repealed and the following

1885 is substituted in lieu thereof:

1886 Sections 26 to 45, inclusive, of [this act] public act 99-241, as
1887 amended by this act, and section 39 of public act 98-1 of the December
1888 special session*, as amended by public act 99-241 and this act, being
1889 necessary for the welfare of the state and its inhabitants, shall be
1890 liberally construed, so as to effect their purposes. In connection with
1891 the overall project and stadium facility operations, the secretary, the
1892 Treasurer, the Comptroller, the authority, the project manager, the
1893 prime construction contractor, the stadium facility manager and all
1894 other persons shall be governed by [this act] public act 99-241**, as
1895 amended by this act, and chapter 588x, which shall control in the event
1896 of any inconsistency between [this act] public act 99-241**, as amended
1897 by this act and chapter 588x and any other public or special act of the
1898 state or any agreement.

1899 Sec. 22. Subdivision (1) of section 12-412 of the general statutes, as
1900 amended by section 54 of public act 99-241, is repealed and the
1901 following is substituted in lieu thereof:

1902 (1) (A) Sales of tangible personal property or services to the United
1903 States, the state of Connecticut or any of the political subdivisions
1904 thereof, or its or their respective agencies; (B) sales of tangible personal
1905 property or services used to develop property which the state of
1906 Connecticut is under contract to purchase through a long-term
1907 financing contract; (C) sales and use of any services or tangible
1908 personal property to be incorporated into or used or otherwise
1909 consumed in (i) the demolition, remediation or preparation of the
1910 [convention center site, the sportsplex site and the parking facilities
1911 site] Adriaen's Landing site and the stadium facility site for purposes
1912 of the overall project, each as defined in section 27 of [this act] public
1913 act 99-241, as amended by this act, (ii) the construction of the
1914 convention center, the [sportsplex] stadium facility and the related
1915 parking facilities and site preparation and infrastructure

1916 improvements, each as defined in section 27 of [this act] public act 99-
1917 241, as amended by this act, or (iii) the construction of any future
1918 capital improvement to the convention center, the [sportsplex] stadium
1919 facility or the related parking facilities.

1920 Sec. 23. Subsection (a) of section 12-498 of the general statutes, as
1921 amended by section 1 of public act 99-231 and section 55 of public act
1922 99-241, is repealed and the following is substituted in lieu thereof:

1923 (a) The tax imposed by section 12-494 shall not apply to: (1) Deeds
1924 which this state is prohibited from taxing under the constitution or
1925 laws of the United States; (2) deeds which secure a debt or other
1926 obligation; (3) deeds to which this state or any of its political
1927 subdivisions or its or their respective agencies is a party; (4) tax deeds;
1928 (5) deeds of release of property which is security for a debt or other
1929 obligation; (6) deeds of partition; (7) deeds made pursuant to mergers
1930 of corporations; (8) deeds made by a subsidiary corporation to its
1931 parent corporation for no consideration other than the cancellation or
1932 surrender of the subsidiary's stock; (9) deeds made pursuant to a
1933 decree of the Superior Court under section 46b-81, 49-24 or 52-495; (10)
1934 deeds, when the consideration for the interest or property conveyed is
1935 less than two thousand dollars; (11) deeds between affiliated
1936 corporations, provided both of such corporations are exempt from
1937 taxation pursuant to paragraph (2), (3) or (25) of Section 501(c) of the
1938 Internal Revenue Code of 1986, or any subsequent corresponding
1939 internal revenue code of the United States, as from time to time
1940 amended; (12) deeds made by a corporation which is exempt from
1941 taxation pursuant to paragraph (3) of Section 501(c) of the Internal
1942 Revenue Code of 1986, or any subsequent corresponding internal
1943 revenue code of the United States, as from time to time amended, to
1944 any corporation which is exempt from taxation pursuant to said
1945 paragraph (3) of said Section 501(c); (13) deeds made to any nonprofit
1946 organization which is organized for the purpose of holding
1947 undeveloped land in trust for conservation or recreation purposes; (14)

1948 deeds between spouses; (15) deeds of property for the [convention
1949 center site, the sportsplex site or the parking facilities site] Adriaen's
1950 Landing site or the stadium facility site, for purposes of the overall
1951 project, each as defined in section 27 of [this act] public act 99-241, as
1952 amended by this act; (16) land transfers made on or after July 1, 1998,
1953 to a water company, as defined in section 16-1, provided the land is
1954 classified as class I or class II land, as defined in section 25-37c, after
1955 such transfer; and (17) transfers or conveyances to effectuate a mere
1956 change of identity or form of ownership or organization, where there is
1957 no change in beneficial ownership.

1958 Sec. 24. Subdivision (1) of section 22a-134 of the general statutes, as
1959 amended by section 6 of public act 99-225 and section 56 of public act
1960 99-241, is repealed and the following is substituted in lieu thereof:

1961 (1) "Transfer of establishment" means any transaction or proceeding
1962 through which an establishment undergoes a change in ownership, but
1963 does not mean (A) conveyance or extinguishment of an easement, (B)
1964 conveyance of property through a judicial foreclosure, (C) conveyance
1965 of a deed in lieu of foreclosure to an institutional lender, including, but
1966 not limited to, a banking institution, (D) conveyance of a security
1967 interest including, without limitation, a mortgage, (E) renewal of a
1968 lease, (F) conveyance, assignment or termination of a lease for a period
1969 less than twenty-five years from the date of such conveyance,
1970 assignment or termination, including options or extensions of such
1971 period, (G) any change in ownership approved by the Probate Court,
1972 (H) conveyance of title to a surviving joint tenant, or to a trustee,
1973 executor, or administrator under the terms of a testamentary trust or
1974 will, or by intestate succession, (I) corporate reorganization not
1975 substantially affecting the ownership of the establishment, including,
1976 but not limited to, stock dividend distributions or stock distributions
1977 in connection with a merger, (J) the original issuance of stock or other
1978 securities of an entity which owns or operates an establishment, (K) the
1979 transfer of stock, securities or other ownership interests representing

1980 less than a majority of the voting power of the entity that owns or
1981 operates the establishment, (L) any conveyance of an interest in an
1982 establishment where the transferor is the sibling, spouse, child, parent,
1983 grandparent, child of a sibling or sibling of a parent of the transferee,
1984 (M) any conveyance of a portion of a parcel upon which portion no
1985 establishment is or has been located and upon which there has not
1986 occurred a discharge, spillage, uncontrolled loss, seepage or filtration
1987 of hazardous waste, provided either the area of such portion is not
1988 greater than fifty per cent of the area of such parcel or written notice of
1989 such proposed conveyance and an environmental condition
1990 assessment form for such parcel is provided to the commissioner sixty
1991 days prior to such conveyance, (N) conveyance of a service station, as
1992 defined in subdivision (5) of this section, (O) any conveyance of a
1993 parcel which, prior to July 1, 1997, had been developed solely for
1994 residential use and such use has not changed, (P) any conveyance of a
1995 parcel to any entity created or operating under chapter 130 or 132, or to
1996 an urban rehabilitation agency, as defined in section 8-292, or to a
1997 municipality under section 32-224, or to the Connecticut Development
1998 Authority or any subsidiary of the authority, [or] (Q) any conveyance
1999 of a parcel in connection with the [assembly] acquisition of properties
2000 to effectuate the development of the [convention center facilities, the
2001 sportsplex and the related parking facilities, each] overall project as
2002 as defined in section 27 of [this act] public act 99-241, as amended by this
2003 act, (R) the conversion of a general or limited partnership to a limited
2004 liability company under section 34-199, (S) the transfer of general
2005 partnership property held in the names of all of its general partners to
2006 a general partnership which includes as general partners immediately
2007 after the transfer all of the same persons as were general partners
2008 immediately prior to the transfer; and (T) the transfer of general
2009 partnership property held in the names of all of its general partners to
2010 a limited liability company which includes as members immediately
2011 after the transfer all of the same persons as were general partners
2012 immediately prior to the transfer.

2013 Sec. 25. Section 12-541 of the general statutes, as amended by section

2014 16 of public act 99-121, section 52 of public act 99-173, section 57 of
2015 public act 99-241 and section 27 of public act 99-1 of the June special
2016 session, is repealed and the following is substituted in lieu thereof:

2017 There is hereby imposed a tax of ten per cent of the admission
2018 charge to any place of amusement, entertainment or recreation, except
2019 that no tax shall be imposed with respect to any admission charge (1)
2020 when the admission charge is less than one dollar or, in the case of any
2021 motion picture show, when the admission charge is not more than five
2022 dollars, (2) when a daily admission charge is imposed which entitles
2023 the patron to participate in an athletic or sporting activity, (3) to any
2024 event, other than events held at the [sportsplex] stadium facility, as
2025 defined in section 27 of [this act] public act 99-241, as amended by this
2026 act, all of the proceeds from which inure exclusively to an entity which
2027 is exempt from federal income tax under the Internal Revenue Code,
2028 provided such entity actively engages in and assumes the financial risk
2029 associated with the presentation of such event, (4) to any event, other
2030 than events held at the [sportsplex] stadium facility, as defined in
2031 section 27 of [this act] public act 99-241, as amended by this act, which
2032 in the opinion of the commissioner, is conducted primarily to raise
2033 funds for an entity which is exempt from federal income tax under the
2034 Internal Revenue Code, provided the commissioner is satisfied that the
2035 net profit which inures to such entity from such event will exceed the
2036 amount of the admissions tax which, but for this subdivision, would be
2037 imposed upon the person making such charge to such event, (5) to (A)
2038 any event at the Hartford Civic Center, the New Haven Coliseum,
2039 New Britain Beehive Stadium, New Britain Stadium, effective for
2040 events occurring on or after the date such stadium was placed in
2041 service, New Britain Veterans Memorial Stadium, Bridgeport Harbor
2042 Yard Stadium, Stafford Motor Speedway, Lime Rock Park, Thompson
2043 Speedway and Waterford Speedbowl, facilities owned or managed by
2044 the Tennis Foundation of Connecticut or any successor organization or
2045 the William A. O'Neill Convocation Center, and (B) games of the New
2046 Britain Rock Cats, New Haven Ravens or the Waterbury Spirit, (6)
2047 other than for events held at the [sportsplex] stadium facility, as

2048 defined in section 27 of [this act] public act 99-241, as amended by this
2049 act, paid by centers of service for elderly persons, as described in
2050 subdivision (d) of section 17b-425, (7) to any production featuring live
2051 performances by actors or musicians presented at Gateway's
2052 Candlewood Playhouse, Ocean Beach Park or any nonprofit theater or
2053 playhouse in the state, provided such theater or playhouse possesses
2054 evidence confirming exemption from federal tax under Section 501 of
2055 the Internal Revenue Code, or (8) to any carnival or amusement ride.
2056 The tax shall be imposed upon the person making such charge and
2057 reimbursement for the tax shall be collected by such person from the
2058 purchaser. Such reimbursement, termed "tax", shall be paid by the
2059 purchaser to the person making the admission charge. Such tax, when
2060 added to the admission charge, shall be a debt from the purchaser to
2061 the person making the admission charge and shall be recoverable at
2062 law. The amount of tax reimbursement, when so collected, shall be
2063 deemed to be a special fund in trust for the state of Connecticut.

2064 Sec. 26. Section 13a-25 of the general statutes, as amended by section
2065 58 of public act 99-241, is repealed and the following is substituted in
2066 lieu thereof:

2067 Whenever the Chief Justice of the Supreme Court finds that the
2068 number of state referees available for the performance of the duties of
2069 state referees under subsection (c) of section 13a-73, sections 13a-74
2070 and 13a-76, subsection (d) of section 35 and sections 36 and 37 of [this
2071 act] public act 99-241, as amended by this act and is not sufficient to
2072 consider and act upon the acquisition of land and buildings for a
2073 [sportsplex] stadium facility and related parking facilities, as defined
2074 in section 27 of [this act] public act 99-241, as amended by this act, with
2075 reasonable promptness, said Chief Justice, upon the application of the
2076 commissioner or the secretary, as the case may be, may appoint such
2077 number of additional state referees as [he deems] necessary to expedite
2078 the performance of such duties. Such appointments may be made from
2079 time to time and for such period of time, not more than two months in

2080 length, as [he designates] designated by the Chief Justice. Such
2081 additional state referees shall have the same powers and duties as state
2082 referees appointed under section 52-434, with respect to the granting of
2083 the approvals and the performance of other duties of state referees in
2084 the acquisition of land and buildings for such expressway, highway,
2085 [sportsplex] stadium facility and related parking facilities and shall
2086 receive such reasonable compensation as is determined by the Chief
2087 Justice, and such compensation and expenses incurred in the conduct
2088 of any hearings by such state referees shall be paid as a part of the cost
2089 thereof.

2090 Sec. 27. Section 48-21 of the general statutes, as amended by section
2091 59 of public act 99-241, is repealed and the following is substituted in
2092 lieu thereof:

2093 In any proceeding brought under the provisions of subsection (b) or
2094 (e) of section 13a-73 or section 13a-74, 13a-76, 13a-77, 13a-78 or section
2095 19a-645 or subsection (a), (b) or (c) of section 35 of [this act] public act
2096 99-241, as amended by this act, or sections 36 to 40, inclusive, of [this
2097 act] public act 99-241, as amended by this act, notice shall be given to
2098 all persons appearing of record as holders of any mortgage, lien or
2099 other encumbrance on any real estate or interest therein which is to be
2100 taken by right of eminent domain or by condemnation proceedings, in
2101 the same manner as notice is required to be given to the owner of such
2102 property; and the amount due any such mortgagee, lienor or other
2103 encumbrancer, not exceeding the amount to be paid for such property,
2104 shall be paid to him according to priority of claims, before any sum is
2105 paid to any owner of such property. In case of dispute as to the
2106 amount due any such mortgagee, lienor or other encumbrancer, the
2107 money may be deposited with the clerk of the superior court for the
2108 judicial district in which such property is situated, and anyone
2109 claiming an interest in the same may bring suit therefor, making all
2110 others claiming interest in the fund defendants, and the court may
2111 determine the rights in the fund of all parties to such suit, and may tax

2112 costs according to the rules of equity.

2113 Sec. 28. Section 32-610 of the general statutes, as amended by section
2114 60 of public act 99-241, is repealed and the following is substituted in
2115 lieu thereof:

2116 The exercise of the powers granted by section 32-602 constitute the
2117 performance of an essential governmental function and the Capital
2118 City Economic Development Authority shall not be required to pay
2119 any taxes or assessments upon or in respect of the convention center or
2120 the convention center project, as defined in section 32-600, levied by
2121 any municipality or political subdivision or special district having
2122 taxing powers of the state and such project and the principal and
2123 interest of any bonds and notes issued under the provisions of section
2124 32-607, their transfer and the income therefrom, including revenues
2125 derived from the sale thereof, shall at all times be free from taxation of
2126 every kind by the state of Connecticut or under its authority, except for
2127 estate or succession taxes but the interest on such bonds and notes
2128 shall be included in the computation of any excise or franchise tax.
2129 Notwithstanding the foregoing, the convention center and the related
2130 parking facilities owned by the authority shall be deemed to be state-
2131 owned real property for purposes of sections 12-19a and 12-19b and
2132 the state shall make grants in lieu of taxes with respect to the
2133 convention center and such related parking facilities to the
2134 municipality in which the convention center and such related parking
2135 facilities are located as otherwise provided in said sections 12-19a and
2136 12-19b.

2137 Sec. 29. Subsection (a) of section 39 of public act 98-1 of the
2138 December special session, as amended by section 63 of public act 99-
2139 241, is repealed and the following is substituted in lieu thereof:

2140 (a) There is established an account to be known as the ["sportsplex
2141 construction account"] "Adriaen's Landing construction account"

2142 which shall be a separate nonlapsing account within the General Fund.
2143 The account may contain any moneys required by law to be deposited
2144 in the account, including the moneys designated for the stadium
2145 construction account in subsections (b) and (c) of this section. The
2146 moneys in said account shall be expended by the Treasurer for
2147 [payments] payment of project costs of the overall project, other than
2148 the stadium facility project, in addition to the moneys derived from the
2149 issuance of bonds for [the sportsplex project, as defined in section 27 of
2150 this act] such purposes pursuant to section 29 of public act 99-241, as
2151 amended by this act.

2152 Sec. 30. Section 64 of public act 99-241 is repealed and the following
2153 is substituted in lieu thereof:

2154 Notwithstanding the limitations of subsection (a) of section 30 of
2155 [this act] public act 99-241, as amended by this act, and prior to the
2156 satisfaction of the conditions therein set forth, the state and the
2157 authority may (1) pay preliminary costs incurred prior to the effective
2158 date of this act, and (2) award contracts with respect to, and incur and
2159 pay, other preliminary costs of the overall project, in the case of the
2160 state in amounts in the aggregate not to exceed eight million dollars
2161 from funds otherwise available therefor in the [sportsplex] Adriaen's
2162 Landing construction account established by section 39 of public act
2163 98-1, as amended by [this act] public act 99-241, as amended by this
2164 act, and in the case of the authority in amounts in the aggregate not to
2165 exceed three million dollars from funds otherwise available therefor
2166 pursuant to the bond authorization in section 32-614 of the general
2167 statutes, as amended by [this act] public act 99-241, as amended by this
2168 act.

2169 Sec. 31. Section 32-305 of the general statutes is amended by adding
2170 subsection (c) as follows:

2171 (NEW) (c) Notwithstanding the provisions of this section, (1) the

2172 funds segregated by the Commissioner of Revenue Services under
2173 subsection (a) of this section that are attributable to a hotel opened, or
2174 to new rooms added to an existing hotel, in the city of Hartford on or
2175 after the effective date of this act, shall be allocated (A) ten per cent to
2176 the Greater Hartford Arts Council, and (B) ninety per cent to the
2177 Capital City Economic Development Authority to be used by the
2178 authority, among other purposes, for start-up and operating expenses
2179 of, and a replacement reserve for, the convention center, as defined in
2180 section 32-600, as amended by this act, and (2) commencing July 1,
2181 2003, and continuing until such time as the Capital City Economic
2182 Development Authority shall certify to the Commissioner of Revenue
2183 Services that such an additional source of revenue is no longer needed
2184 by the authority to meet current or projected operating deficiencies of
2185 the convention center, fifty per cent of the excess of (A) the funds
2186 segregated by the Commissioner of Revenue Services each month
2187 under subsection (a) of this section that are attributable to gross
2188 receipts from sales in the Greater Hartford district established in
2189 section 32-302, exclusive of such amounts otherwise allocated to the
2190 Capital City Economic Development District pursuant to this section,
2191 over (B) the average monthly amount segregated and allocated to the
2192 Greater Hartford district under subsection (a) of this section, exclusive
2193 of such amounts allocated to the Capital City Economic Development
2194 Authority, during the fiscal year ending June 30, 2000, shall be
2195 allocated to the Capital City Economic Development Authority and
2196 used by the authority exclusively to pay, or to fund an operating
2197 expense reserve account to provide for the future payment of, start-up
2198 and operating expenses of the convention center. In the event that at
2199 any time the Capital City Economic Development Authority
2200 determines that amounts deposited and then held in such operating
2201 expense reserve account pursuant to this section are no longer needed
2202 to meet current or projected operating deficiencies of the convention
2203 center, the authority shall return such amounts to the Greater Hartford
2204 district for use in accordance with its purposes.

2205 Sec. 32. (NEW) The secretary shall take reasonable steps designed to

2206 ensure that the expenditure of public funds for project costs of the
2207 overall project is subject to adequate financial controls and that
2208 construction of the overall project conforms to applicable construction
2209 standards and approved plans and specifications. Such steps shall
2210 include, but are not limited to, the following:

2211 (1) (A) The secretary shall designate a project comptroller from the
2212 secretary's senior staff. The project comptroller shall review, certify
2213 and authorize any amount due for payment by the Treasurer on
2214 warrants issued by the State Comptroller and otherwise oversee the
2215 expenditure of all state funds made available for purposes of the
2216 overall project pursuant to this act, and shall be responsible for
2217 monitoring the project budget, including cost estimates for site
2218 preparation, infrastructure, improvements and project construction,
2219 the review of all invoices for project costs for conformance to contracts
2220 and budgets, and the receipt and review of all reports from the
2221 independent auditing firm selected by the secretary and the State
2222 Building Inspector, the State Fire Marshal, the architects and
2223 environmental consultants as provided for in this section. The project
2224 comptroller shall be responsible for obtaining all necessary
2225 information and monitor all aspects of the planning and
2226 implementation of the overall project, including on-site inspections.
2227 The project comptroller shall prepare and submit to the secretary, the
2228 authority and the Auditors of Public Accounts as of the end of each
2229 quarter during the period of project development a summary of the
2230 reports received by the project comptroller during such quarter and a
2231 summary, by major category, of all expenditures of state funds for
2232 project costs during such quarter, noting any significant variances
2233 against budget.

2234 (B) In order to assure accountability regarding the construction
2235 aspects of the overall project by the project manager and other
2236 contractors and professionals retained directly or indirectly by the
2237 state, the secretary shall obtain the services of a person or persons

2238 experienced in construction oversight. The secretary shall obtain such
2239 services (i) by agreement with the Department of Public Works or the
2240 Department of Transportation; (ii) by direct hire; (iii) by contract; or
2241 (iv) by any combination of (i), (ii) or (iii) of this subparagraph.

2242 (2) The secretary shall select an independent auditing firm in
2243 accordance with applicable procurement procedures to review all
2244 invoices, expenditures, cost allocations and other appropriate
2245 documentation related to all elements of the public improvements
2246 managed by the project manager in order to reconcile all project costs
2247 and verify conformance with the project budget, cost allocation
2248 agreements and applicable contracts. The independent auditing firm
2249 shall file a written report quarterly with the secretary, the authority
2250 and the project comptroller reporting the results of such review and
2251 shall assist in the reconciliation of any discrepancies between the
2252 records of the project manager and the records of the project
2253 comptroller designated by the secretary.

2254 (3) All contracts entered into by the secretary or the authority
2255 related to the construction of the overall project, including contracts
2256 with the project manager and each construction manager, shall require
2257 the maintenance of complete accounting records relating to all
2258 expenditures of state funds, including detailed support for all cost
2259 allocations, on an open book basis providing for access to such records,
2260 including records in electronic form, by the secretary, the authority, the
2261 independent auditing firm selected by the secretary and the Auditors
2262 of Public Accounts.

2263 (4) All allocations of costs between public and private
2264 improvements shall be pursuant to written agreement and consistent
2265 with the project budget.

2266 (5) A construction manager or managers for all major elements of
2267 the public improvements shall be selected by the secretary and the

2268 authority in accordance with applicable procurement procedures and
2269 shall make reports to the project controller as requested. The
2270 construction managers shall be responsible for day-to-day
2271 management of all such construction activities in accordance with
2272 written agreements with the secretary or the authority.

2273 (6) All construction plans and specifications shall be subject to the
2274 review and approval of the State Building Inspector and the State Fire
2275 Marshal. The State Building Inspector and the State Fire Marshal shall
2276 conduct periodic inspections of the overall project as construction
2277 proceeds and shall immediately notify the secretary, the project
2278 comptroller and the authority of any material variance between
2279 approved plans and specifications and actual construction. The State
2280 Building Inspector and the State Fire Marshal shall provide quarterly
2281 reports to the secretary, the project comptroller and the authority
2282 regarding conformance of actual construction to approved plans and
2283 specifications.

2284 (7) Each contract for architectural services entered into by the
2285 secretary or the authority with respect to the overall project shall
2286 include a requirement that the architect monitor conformance of actual
2287 construction with the plans and specifications approved by the State
2288 Building Inspector and the State Fire Marshal and promptly report any
2289 material variance to the secretary, the project comptroller and the
2290 authority, with copies to the State Building Inspector and the State Fire
2291 Marshal.

2292 (8) An environmental consultant or consultants shall be selected by
2293 the secretary in accordance with applicable procurement procedures to
2294 monitor conformance of actual environmental remediation of the
2295 stadium facility site and the Adriaen's Landing site with any approved
2296 remediation plans and promptly report any material variance to the
2297 secretary, project comptroller and the authority.

2298 Sec. 33. (NEW) The city of Hartford, upon approval of its legislative
2299 body, may negotiate and fix assessments on improvements for retail,
2300 commercial and housing purposes during the period of construction of
2301 such improvements and for additional periods of up to fifteen years
2302 from the completion of such improvements, which improvements
2303 either (1) constitute a capital city project, as defined in subsection (2) of
2304 section 32-600 of the general statutes, receiving five million dollars or
2305 more in financial assistance from the authority, or (2) are within the
2306 Adriaen's Landing site, including the on-site related private
2307 development.

2308 Sec. 34. (NEW) Upon the effective date of this act, (1) the master
2309 development plan in the form filed with the clerks of the Senate and
2310 the House of Representatives on March 3, 2000, is validated and shall
2311 be deemed to have satisfied and met the requirements of subdivision
2312 (1) of subsection (a) of section 30 of public act 99-241, as amended by
2313 this act, and (2) the feasibility and implementation studies for the
2314 convention center, the related parking facilities and the stadium
2315 facility filed with the clerks of the Senate and the House of
2316 Representatives as part of such master development plan are validated
2317 and shall be deemed to have satisfied and met the requirements of
2318 section 32-604 of the general statutes, as amended by public act 99-241.

2319 Sec. 35. (NEW) The master development plan may be modified by
2320 the secretary after the effective date of this act to the extent determined
2321 by the secretary to be necessary or desirable in light of unforeseen
2322 conditions or circumstances, including, without limitation, economic
2323 or market conditions or development or cost constraints, provided (1)
2324 no such modification shall be inconsistent with any requirements of
2325 sections 26 to 46, inclusive, of public act 99-241, as amended by this act,
2326 or sections 32 to 37, inclusive, of this act, and (2) in the event that the
2327 secretary determines that any such modification in the master
2328 development plan would result in a material change in the purpose or
2329 character of the stadium facility, the related parking facilities or the

2330 convention center, such modification shall not become effective unless
2331 and until (A) the secretary has filed with the house and senate clerks,
2332 for transmittal to the joint standing committee of the General
2333 Assembly having cognizance of matters relating to finance, revenue
2334 and bonding, a description of such modification in reasonable detail,
2335 and (B) such committee shall either have (i) approved such
2336 modification, or (ii) failed to reject such modification within thirty days
2337 of the date of filing by the secretary of the description of such
2338 modification with the house and senate clerks.

2339 Sec. 36. Section 30 of public act 99-241 is repealed and the following
2340 is substituted in lieu thereof:

2341 (a) Except with respect to the payment by the secretary and the
2342 authority of certain limited amounts of preliminary costs pursuant to
2343 section 64 of public act 99-241*, no contract may be awarded,
2344 obligation incurred or amount expended by the secretary or the
2345 authority with respect to costs of the overall project to be funded with
2346 the proceeds of the bonds, no principal amount of bonds, notes or
2347 other obligations of the state or the authority authorized with respect
2348 to the overall project may be allotted or encumbered, and no amount
2349 available in the [sportsplex] Adriaen's Landing construction account
2350 established by section 39 of public act 98-1 of the December special
2351 session*, as amended by [this act] public act 99-241 and this act, may be
2352 expended, unless and until the following conditions have been met:

2353 (1) The Governor shall have filed with the house and senate clerks,
2354 who shall transmit the same to the joint committees of the General
2355 Assembly having cognizance of matters relating to finance, revenue
2356 and bonding and appropriations, a [declaration to the effect that the
2357 master development plan for the overall project and the related private
2358 development is substantially complete and that the state, through the
2359 authority or the secretary, has received legally enforceable
2360 commitments by agreement, contract or other legally enforceable
2361 instrument with private investors or developers for minimum private

2362 investment in the related private development of two hundred ten
2363 million dollars, of which a minimum of forty million dollars shall be
2364 private investment in the convention center hotel, which the Governor
2365 has determined would not have been made but for the development of
2366 the convention center or the sportsplex; and

2367 (2) The time provided in subsection (d) of this section for action by
2368 the General Assembly shall have passed without the master
2369 development plan having been rejected by the General Assembly as
2370 provided in said subsection (d).

2371 (b) The declaration filed by the Governor pursuant to subsection (a)
2372 of this section shall be accompanied by the] master development plan,
2373 which shall include at least the following:

2374 [(1)] (A) An overall design concept and description of the overall
2375 project and the integration of the on-site related private development,
2376 including conceptual drawings, preliminary site plans and estimated
2377 project schedule;

2378 [(2)] (B) An estimate of total costs for the [sportsplex] stadium
2379 facility project, the parking project, the convention center project, the
2380 convention center hotel, as applicable, and each other major element of
2381 the on-site related private development;

2382 [(3)] (C) The feasibility and implementation [study] studies for the
2383 convention center, the [sportsplex] stadium facility and the related
2384 parking facilities, as applicable, conducted by the authority pursuant
2385 to section 32-604 together with the determination of the authority
2386 required by said section;

2387 [(4)] (D) A plan for the assembly and acquisition of the [sportsplex]
2388 stadium facility site, the parking facilities site, the convention center
2389 site and the sites on which the convention center hotel and the other
2390 on-site related private development is to be located, as applicable, for
2391 relocation of existing uses on such sites and for site preparation,
2392 including identification of such sites, estimated costs of the site

2393 assembly and acquisition, relocation and site preparation, including
2394 necessary environmental remediation, the proposed ownership and
2395 lease arrangements with respect to such sites, with copies of any
2396 available site acquisition documents, and the proposed sources and
2397 amounts of public and private financing of the cost of site assembly
2398 and acquisition, relocation and site preparation including the portion
2399 of such costs, if any, to be paid as project costs pursuant to sections 26
2400 to 46, inclusive, of [this act] public act 99-241, as amended by this act;

2401 [(5)] (E) A description of required governmental permits and
2402 approvals required in connection with the overall project and the on-
2403 site related private development, including a report of the status of
2404 permit applications and approval, with copies of any available permit
2405 applications;

2406 [(6) A copy] (F) Copies of the environmental impact [evaluation]
2407 evaluations prepared by the authority and the Office of Policy and
2408 Management pursuant to subsection (j) of section 40 of [this act] public
2409 act 99-241, as amended by this act;

2410 [(7)] (G) A description of the proposed convention center hotel,
2411 including number of rooms, other amenities, site acquisition
2412 arrangements and proposed ownership, management and financing
2413 arrangements, and arrangements with respect to use for hotel
2414 purposes of spaces in the related parking facilities, including related
2415 parking charges;

2416 [(8)] (H) Revenue and expense projections for operation of the
2417 convention center, the [sportsplex] stadium facility and the related
2418 parking facilities, as applicable, to the extent not included in the
2419 feasibility and implementation [study] studies provided pursuant to
2420 [subdivision (3)] subparagraph (C) of this [subsection] subdivision;

2421 [(9)] (I) Sources and uses of committed public and private financing
2422 for the overall project and the on-site related private development,
2423 including projected amounts of tax-exempt and taxable general
2424 obligation bonds and revenue bonds;

2425 [(10)] (I) A financing plan for the overall project and the on-site
2426 related development, including the planned sequence and schedule of
2427 public and private investment, setting forth requirements for
2428 appropriate minimum levels of public and private investment at
2429 various stages of development as the overall project and the on-site
2430 related private development proceed;

2431 [(11)] (K) A memorandum of understanding with the university
2432 setting forth the material terms of proposed lease, license or other use
2433 arrangements regarding university events at the [sportsplex] stadium
2434 facility, including at a minimum the material terms of the commitment
2435 of the university regarding the playing of home football games at the
2436 sportsplex, including arrangements with respect to the allocation of
2437 event revenues and expenses, other revenue derived as a result of the
2438 university's upgrades to Division IA football status, rental or use
2439 charges, day of game expenses, event scheduling, ticket operations,
2440 event management and operations and responsibilities for
2441 maintenance, repair and insurance and sources of revenue to be used
2442 by the university to cover capital and operating expenses resulting
2443 from the university upgrade to Division IA football; and

2444 [(12)] (L) A description of the proposed revenue allocation from the
2445 related parking facilities; and

2446 (2) The Governor shall have filed with the Treasurer and the State
2447 Bond Commission a certificate of determination to the effect that the
2448 state, through the authority or the secretary, has received
2449 commitments by agreement, contract or other legally enforceable
2450 instrument with private investors or developers for minimum private
2451 investment in the related private development of two hundred ten
2452 million dollars, of which a minimum of forty million dollars shall be
2453 private investment in the convention center hotel, which certificate of
2454 determination shall include findings by the Governor to the effect that
2455 (A) such commitments are enforceable by the secretary or the authority
2456 by an action at law or in equity, (B) such commitments relate to
2457 projects that will constitute related private development, as defined in

2458 section 27 of public act 99-241, as amended by this act, and (C) the
2459 related private development that is the subject of such commitments
2460 would not have occurred but for the development of the convention
2461 center and the related parking facilities and the investment by the state
2462 in site acquisition, site preparation and infrastructure improvements
2463 associated with the Adriaen's Landing site. Such certificate of
2464 determination and findings by the Governor, when filed with the
2465 Treasurer and the State Bond Commission, shall be final, conclusive
2466 and incontestable for all purposes.

2467 [(c)] (b) Not later than thirty days after the filing by the Governor of
2468 the [declaration pursuant to] master development plan pursuant to
2469 subdivision (1) of subsection (a) of this section, the joint standing
2470 committees of the General Assembly having cognizance of matters
2471 relating to finance, revenue and bonding and appropriations shall hold
2472 a joint public hearing for purposes of the evaluation and consideration
2473 of the master development plan and any other information submitted
2474 by the Governor in connection [with the declaration filed pursuant to
2475 subsection (a) of the section] therewith. Said committees shall submit a
2476 report of their findings, conclusions and recommendations to the
2477 General Assembly, through the clerks of the house and the senate not
2478 later than forty-five days after the date of filing by the Governor of the
2479 master development plan pursuant to subdivision (1) of subsection (a)
2480 of this section.

2481 [(d)] No later than sixty days after the date of filing by the Governor
2482 of the declaration pursuant to subsection (a) of this section, the General
2483 Assembly may reject the master development plan as a whole by
2484 majority vote of both houses.

2485 (e) For purposes of the calculation of the time periods established by
2486 subsections (c) and (d) of this section, the running of such time
2487 periods shall be tolled between December 1, 1999, and January 15,
2488 2000, inclusive, and there shall be a corresponding extension of the
2489 deadlines for action specified in said subsections, provided that
2490 nothing in this subsection shall have the effect of prohibiting any such

2491 action during the tolling period.]

2492 Sec. 37. Section 32-605 of the general statutes is amended by adding
2493 subsection (e) as follows:

2494 (NEW) (e) The authority shall designate a convention center
2495 operations contract compliance officer from the staff of the authority to
2496 monitor compliance of the operations of the convention center,
2497 convention center hotel and related parking facilities of the center and
2498 the hotel, with the provisions of state law applicable to such
2499 operations, including, but not limited to, sections 26 to 46, inclusive, of
2500 public act 99-241, as amended by this act, and sections 32 to 37,
2501 inclusive, of this act, and with applicable requirements of contracts
2502 entered into by the authority, relating to set-asides for small
2503 contractors and minority business enterprises and required efforts to
2504 hire available and qualified members of minorities, as defined in
2505 section 32-9n, and available and qualified residents of the city of
2506 Hartford for jobs in such operations. Such officer shall file, each year
2507 during the period of facility operations, a written report with the
2508 authority as to findings and recommendations regarding such
2509 compliance.

2510 Sec. 38. (NEW) The use of the term "Adriaen's Landing" in this act is
2511 for convenience and shall not be construed to require that the
2512 improvements within the capital city economic development district
2513 which are contemplated by this act bear that name.

2514 Sec. 39. Section 34 of public act 99-241 and section 5 of special act 97-
2515 20 are repealed.

2516 Sec. 40. This act shall take effect from its passage."