



General Assembly

February Session, 2008

**Raised Bill No. 5880**

LCO No. 2959

\*        **HB05880CE\_FIN031808**        \*

Referred to Committee on Commerce

Introduced by:  
(CE)

**AN ACT CONCERNING A SALES TAX-FREE WEEKEND FOR EACH OF THE STATE'S TOURISM DISTRICTS, AND ESTABLISHING THE GREENWAY COMMONS IMPROVEMENT DISTRICT IN THE TOWN OF SOUTHINGTON.**

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

1       Section 1. (NEW) (*Effective July 1, 2008*) (a) For purposes of this  
2 section "weekend" means from six o'clock p.m. on Friday to twelve  
3 o'clock midnight the following Sunday, inclusive.

4       (b) The provisions of chapter 219 of the general statutes shall not  
5 apply to sales or services costing one thousand dollars or less during  
6 one weekend each year in each of the state's tourism districts  
7 established pursuant to section 10-397 of the general statutes.

8       (c) The Commission on Culture and Tourism shall, in consultation  
9 with the Commissioner of Revenue Services, oversee the sales tax-free  
10 weekends. No tourism district shall conduct its sales tax-free weekend  
11 at the same time as any other tourism district.

12       Sec. 2. (*Effective July 1, 2008*) (a) For purposes of this section:

13 (1) "District" means that certain real property, situated in the town  
14 of Southington, the County of Hartford and the state of Connecticut,  
15 the Greenway Commons Improvement District, a body politic and  
16 corporate, consisting of the area bounded and described as follows:  
17 Beginning at a point on the easterly streetline of Water Street at the  
18 northwesterly corner of land now or formerly of Edward A. Piteo (tax  
19 map 110, lot 172), thence running westerly across Water Street to the  
20 westerly streetline of Water Street, thence running northerly along the  
21 westerly streetline of Water Street and across Mill Street to the  
22 northerly streetline of Mill Street, thence running easterly along the  
23 northerly streetline of Mill Street to the easterly boundary of the  
24 greenway, thence running southerly along the easterly boundary of the  
25 greenway to the southwesterly corner of land now or formerly of the  
26 Town of Southington (tax map 111, lot 25), thence running South 56°-  
27 21'-12" East 94.40 feet, thence running South 89°-07'-42" East 24.96 feet,  
28 all along land now or formerly of the Town of Southington, (tax map  
29 111, lot 25), thence running South 03°-28'-48" West 123.40 feet along  
30 land now or formerly of The Southington Young Men's Christian  
31 Association, Incorporated (tax map 111, lot 16), thence running  
32 southerly across High Street to the northeasterly corner of land now or  
33 formerly of Ideal Forging (tax map 99, lot 151), thence running South  
34 02°-04'-12" East 147.70 feet along the westerly streetline of North  
35 Liberty Street, thence running South 84°-34'-58" West 148.88 feet along  
36 land now or formerly of J. Robert Britton et al (tax map 111, Lot 1),  
37 thence running South 01°-58'-23" West 296.76 feet along land now or  
38 formerly of J. Robert Britton et al (tax map 111, lot 1), land now or  
39 formerly of Nancy L. Rich (tax map 100, lot 88), and land now or  
40 formerly of The Sons of Italy (tax map 100, lot 85), each in part, thence  
41 running southerly across Center Street to the southerly streetline of  
42 Center Street, thence running westerly along the southerly streetline of  
43 Center Street crossing South Center Street and continuing westerly  
44 along the southerly streetline of Center Street to the northwesterly  
45 corner of land now or formerly of John A. Muir, Jr. (tax map 99, lot  
46 145), thence running South 13°-38'-17" West 76.05 feet along land now  
47 or formerly of John A. Muir, Jr. (tax map 99, lot 145), thence running

48 North 73°-20'-43" West 155.42 feet, thence running South 19°-23'-57"  
49 West 54.65 feet, thence running North 73°-20'-43" West 83 feet more or  
50 less, all along land now or formerly of John A. Muir, Jr. (tax map 99, lot  
51 142), thence running northerly 55 feet more or less along the centerline  
52 of the Quinnipiac River, thence running South 73°-20'-43" East 65 feet  
53 more or less, thence running North 19°-23'-57" East 67.42 feet, all along  
54 land now or formerly of Marek Nowogrodzki (tax map 99, lot 147),  
55 thence running westerly along the southerly streetline of Center Street  
56 to the centerline of the Quinnipiac River, thence running northerly  
57 across Center Street and thence continuing northeasterly 740 feet more  
58 or less, along the centerline of the Quinnipiac River to the  
59 northwesterly corner of land now or formerly of Edward A. Piteo (tax  
60 map 110, lot 172), thence running North 63°-31'-43" West 133 feet more  
61 or less along land now or formerly of Edward A. Piteo (tax map 110,  
62 lot 172) to the point of beginning. The project boundaries shall also  
63 include any off-site locations mandated by any permitting agency for  
64 improvements associated with the project.

65 (2) "Voter" means (A) any person who is an elector of the district, (B)  
66 any citizen of the United States of the age of eighteen years or more  
67 who, jointly or severally, is liable to the district for taxes assessed  
68 against such citizen on an assessment of not less than one thousand  
69 dollars on the last-completed grand list of such district, as the case may  
70 be, or who would be so liable if not entitled to an exemption under  
71 subdivision (17), (19), (22), (23) or (26) of section 12-81 of the general  
72 statutes, or (C) holders of record of an interest in real property within  
73 the district.

74 (3) "Bonds" means bonds, notes or other obligations authorized by  
75 this section.

76 (b) (1) Upon the petition of fifteen or more persons eligible to vote in  
77 the town of Southington, specifying the district for any or all of the  
78 purposes set forth in this section, the town manager of such town shall  
79 call a meeting of the voters to act upon such petition, which meeting  
80 shall be held at such place within such town and such hour as the town

81 manager designates, not later than thirty days after such petition has  
82 been received by the town manager. Such meeting shall be called by  
83 publication of a written notice of the same, signed by the town  
84 manager, at least fourteen days before the time fixed for such meeting  
85 in two successive issues of some newspaper published or circulated in  
86 such town. Not later than twenty-four hours before such meeting, (A)  
87 two hundred or more voters or ten per cent of the total number of  
88 voters of such proposed district, whichever is less, may petition the  
89 town manager, in writing, for a referendum of the voters of such  
90 proposed district, or (B) the town manager in his or her discretion may  
91 order a referendum of the voters of such proposed district, on the sole  
92 question of whether the proposed district should be established. Any  
93 such referendum shall be held not less than seven or more than  
94 fourteen days after the receipt of such petition or the date of such  
95 order, on a day to be set by the town manager for a vote by paper  
96 ballots or by a "yes" or "no" vote on the voting machines, during the  
97 hours between twelve o'clock noon and eight o'clock p.m.; except that  
98 such town may, by vote of its town council, provide for an earlier hour  
99 for opening the polls but not earlier than six o'clock a.m.,  
100 notwithstanding the provisions of any special act. If voters  
101 representing at least two-thirds of the assessments of holders of record  
102 within the proposed district cast votes in such referendum in favor of  
103 establishing the proposed district, the town manager shall reconvene  
104 such meeting not later than seven days after the day on which the  
105 referendum is held. Upon approval of the petition for the proposed  
106 district by voters representing at least two-thirds of the assessments of  
107 holders of record within the proposed district present at such meeting,  
108 or if a referendum is held, upon the reconvening of such meeting after  
109 the referendum, the voters, upon the vote of voters representing a  
110 majority of assessments of holders of record within the proposed  
111 district, choose necessary officers therefor to hold office until the first  
112 annual meeting thereof; and the district shall, upon the filing of the  
113 first report filed in the manner provided in subsection (c) of section 7-  
114 325 of the general statutes, thereupon be a body corporate and politic  
115 and have the powers provided in sections 7-324 to 7-329, inclusive, of

116 the general statutes, not inconsistent with the general statutes or this  
117 section, in relation to the objects for which it was established, that are  
118 necessary for the accomplishment of such objects, including the power  
119 to lay and collect taxes. The clerk of such district shall cause its name  
120 and a description of its territorial limits and of any additions that may  
121 be made thereto to be recorded in, and a caveat be placed upon, the  
122 land records of the town of Southington.

123 (2) At the meeting called for the purpose of establishing the district  
124 as provided in subdivision (1) of this subsection, the voters may  
125 establish the district for any or all of the following purposes: To  
126 extinguish fires, to light streets, to plant and care for shade and  
127 ornamental trees, to plan, lay out, acquire, construct, maintain and  
128 finance roads, sidewalks, crosswalks, drains, sewers and sewage  
129 treatment facilities, utility improvements and connections, parking  
130 facilities, open space, bulkhead repairs, dredging and construction,  
131 environmental remediation and other infrastructure improvements  
132 and to acquire, construct, maintain and regulate the use of recreational  
133 facilities, to plan, lay out, acquire, construct, reconstruct, repair,  
134 maintain, supervise and manage a flood or erosion control system, to  
135 plan, lay out, acquire, construct, maintain, operate, finance and  
136 regulate the use of a community water system, all as hereinafter  
137 referred to as the "improvements". The district may contract with a  
138 town, city, borough or other district for carrying out any of the  
139 purposes or the purchase or sale of any of the improvements for which  
140 such district was established.

141 (3) At the meeting called for the purpose of establishing the district  
142 as provided in subdivision (1) of this subsection, the voters shall fix the  
143 date of the annual meeting of the voters for the election of district  
144 officers and the transaction of such other business as may properly  
145 come before such annual meeting. At such organization meeting of the  
146 district, the voters shall elect five directors, provided, upon its  
147 organization and at all times thereafter, one director may be appointed  
148 by the town council of the town of Southington. From such directors,  
149 the voters shall elect at the organizational meeting a president, vice-

150 president, a clerk and a treasurer to serve until the first annual meeting  
151 for the election of officers and thereafter such officers shall be elected  
152 annually. Not fewer than three members of the board of directors shall  
153 be residents of the state of Connecticut. Subject to the provisions of  
154 subdivision (4) of this subsection, not fewer than fifteen voters of the  
155 district shall constitute a quorum for the transaction of business at such  
156 organizational meeting of the district; and if fifteen voters are not  
157 present at such meeting, the town manager may adjourn such meeting  
158 from time to time, until at least fifteen voters are present. Special  
159 meetings of the district may be called on the application of ten per cent  
160 of the total number of voters of such district or twenty of the voters of  
161 such district, whichever is less, or by the president or any three  
162 directors upon giving notice as provided in this subdivision. Any  
163 special meeting called on the application of the voters shall be held not  
164 later than twenty-one days after receiving such application. Notice of  
165 the holding of the annual meeting and all special meetings shall be  
166 given by publication of a notice of such meetings in a newspaper  
167 having a general circulation in such district at least ten days before the  
168 day of such meetings, signed by the president or any three directors,  
169 which notice shall designate the time and place of such meetings and  
170 the business to be transacted thereat. Two hundred or more persons or  
171 ten per cent of the total number of voters of such district, whichever is  
172 less, may petition the clerk of such district, in writing, at least twenty-  
173 four hours prior to any such meeting, requesting that any item or items  
174 on the call of such meeting be submitted to the voters not less than  
175 seven or more than fourteen days thereafter, on a day to be set by the  
176 district meeting or, if the district meeting does not set a date, by the  
177 board of directors, or a vote by paper ballots or by a "yes" or "no" vote  
178 on the voting machines, during the hours between twelve o'clock noon  
179 and eight o'clock p.m., except that any district may, by vote of its  
180 board of directors, provide for an earlier hour for opening the polls but  
181 not earlier than six o'clock a.m. The paper ballots or voting machine  
182 ballot labels, as the case may be, shall be provided by the clerk. When  
183 such a petition has been filed with the clerk, the president, after  
184 completion of other business and after reasonable discussion shall

185 adjourn such meeting and order such vote on such item or items in  
186 accordance with the petition; and any item so voted may be rescinded  
187 in the same manner. The clerk shall phrase such item or items in a  
188 form suitable for printing on such paper ballots or ballot labels. Subject  
189 to the provisions of subdivision (4) of this subsection, not fewer than  
190 fifteen voters of the district shall constitute a quorum for the  
191 transaction of business at any meeting of the district; and if fifteen  
192 voters are not present at such meeting, the president of the district or,  
193 in such president's absence, the vice-president, may adjourn such  
194 meeting from time to time, until at least fifteen voters are present; and  
195 all meetings of the district where a quorum is present may be  
196 adjourned from time to time by a vote of a majority of the voters  
197 voting on the question. At any annual or special meeting, the voters  
198 may, by a majority vote of those present, discontinue any purposes for  
199 which the district is established or undertake any additional purpose  
200 or purposes enumerated in subdivision (2) of this subsection.

201 (4) (A) A quorum for the transaction of business at the meeting  
202 called for the purpose of establishing the district, as provided in  
203 subdivisions (1) and (3) of this subsection, shall be either fifteen voters  
204 of such district or a majority of the holders of record of interests in real  
205 property within such district, as long as the assessments of such  
206 holders of record constitute more than one-half of the total of  
207 assessments for all interests in real property within such district. If  
208 fifteen voters or a majority of the holders of record of interests in real  
209 property within such district are not present at such meeting or the  
210 assessments of such holders of record constitute less than one-half of  
211 the total of assessments for all interests in real property within such  
212 district, the town manager may adjourn such meeting, from time to  
213 time, until at least fifteen voters or a majority of the holders of record  
214 of interests in real property within such district are present and the  
215 assessments of such holders of record constitute more than one-half of  
216 the total of assessments for all interests in real property within such  
217 district.

218 (B) For the transaction of business at any other meeting of the

219 district, a quorum shall be either fifteen voters of the district or a  
220 majority of the holders of record of interests in real property within  
221 such district, as long as the assessments for such holders of record  
222 constitute more than one-half of the total of assessments for all  
223 interests in real property within such district. If fifteen voters or a  
224 majority of the holders of record of interests in real property within  
225 such district are not present at such meeting or the assessments of such  
226 holders of record constitute less than one-half of the total assessments  
227 for all interests in real property within such district, the president of  
228 the district, or in such president's absence, the vice-president, may  
229 adjourn such meeting, from time to time, until at least fifteen voters or  
230 a majority of the holders of record of interests in real property within  
231 such district are present and the assessments of such holders of record  
232 constitute more than one-half of the total of assessments for all  
233 interests in real property within such district.

234 (5) In any case in which an action for a vote by the voters of the  
235 district is to be initiated by the petition of such voters, in addition to  
236 such other requirements as the general statutes or any special act may  
237 impose, such petition shall be on a form prescribed or approved by the  
238 clerk of such district, and each page of such petition shall contain a  
239 statement, signed under penalties of false statement, by the person  
240 who circulated the same, setting forth such circulator's name and  
241 address, and stating that each person whose name appears on said  
242 page signed the same in person in the presence of such circulator, that  
243 the circulator either knows each such signer or that the signer  
244 satisfactorily identified himself to the circulator and that all the  
245 signatures on said page were obtained not earlier than six months  
246 prior to the filing of said petition. Any page of a petition which does  
247 not contain such a statement by the circulator shall be invalid. Any  
248 circulator who makes a false statement in the statement hereinbefore  
249 provided shall be subject to the penalty provided for false statement.  
250 No petition shall be valid for any action for a vote by the voters at any  
251 regular or special district meeting unless such petition shall be  
252 circulated by a voter eligible to vote in such district.

253 (c) Whenever the officers of such district vote to terminate its  
254 corporate existence and whenever a petition signed by ten per cent of  
255 the total voters of such district or twenty of the voters of such district,  
256 whichever is less, applying for a special meeting to vote on the  
257 termination of the district is received by the clerk, the clerk shall call a  
258 special meeting of the voters of such district, the notice of which shall  
259 be signed by the officers thereof, by advertising the same in the same  
260 manner as provided in section 7-325 of the general statutes. Not later  
261 than twenty-four hours before any such meeting, two hundred or more  
262 voters or ten per cent of the total number of voters, whichever is less,  
263 may petition the clerk of the district, in writing, that a referendum on  
264 the question of whether the district should be terminated be held in the  
265 manner provided in section 7-327 of the general statutes. If, at such  
266 meeting, a two-thirds majority of the voters present vote to terminate  
267 the corporate existence of the district, or, if a referendum is held, two-  
268 thirds of the voters casting votes in such referendum vote to terminate  
269 the corporate existence of the district, the officers shall proceed to  
270 terminate the affairs of such district. The district shall pay all  
271 outstanding indebtedness and turn over the balance of the assets of  
272 such district to the town of Southington, if the legislative body of the  
273 town authorizes such action. No district shall be terminated under this  
274 subsection until all of its outstanding indebtedness is paid unless the  
275 legislative body of the town of Southington agrees in writing to  
276 assume such indebtedness. On completion of the duties of the officers  
277 of such district, the clerk shall cause a certificate of the vote of such  
278 meeting to be recorded in the land records of the town of Southington  
279 and the clerk shall notify the Secretary of the Office of Policy and  
280 Management.

281 (d) (1) For purposes of voting at meetings held by such district, any  
282 tenant in common of any interest in real property shall have a vote  
283 equal to the fraction of such tenant in common's ownership of such  
284 interest. Any joint tenant of any interest in real property shall vote as if  
285 each such tenant owned an equal fractional share of such real  
286 property. A corporation shall have its vote cast by the chief executive

287 officer of such corporation, or such officer's designee. Any entity that is  
288 not a corporation shall have its vote cast by a person authorized by  
289 such entity to cast its vote. No owner shall have more than one vote.

290 (2) No holder of record of an interest in real property shall be  
291 precluded from participating in any district meeting or referendum  
292 because of the form of entity that holds such interest, whether such  
293 holder of record is (A) a corporation, partnership, unincorporated  
294 association, trustee, fiduciary, guardian, conservator or other form of  
295 entity, or any combination thereof, or (B) an individual who holds  
296 interests jointly or in common with another individual or individuals,  
297 or with any one or more of the entities listed in subparagraph (A) of  
298 this subdivision.

299 (e) Notwithstanding any provision of the general statutes, including  
300 sections 7-324 to 7-329, inclusive, of the general statutes, the district  
301 shall have the power to assess, levy and collect benefit assessments  
302 upon the land and buildings in the district which, in its judgment, are  
303 benefited by the improvements.

304 (f) (1) Notwithstanding any provision of the general statutes,  
305 including sections 7-324 to 7-329, inclusive, of the general statutes, the  
306 district shall have the power to fix, revise, charge, collect, abate and  
307 forgive reasonable taxes, fees, rents and benefit assessments, and other  
308 charges for the cost of the improvements, financing costs, operating  
309 expenses and other services and commodities furnished or supplied to  
310 the real property in the district in accordance with the applicable  
311 provisions of the general statutes which apply to districts established  
312 under section 7-325 of the general statutes, and this section and in the  
313 manner prescribed by the district. Notwithstanding any provision of  
314 the general statutes, the district may make grants for, or pay the entire  
315 cost of any improvements, including the costs of financing such  
316 improvements, capitalized interest and the funding of any reserve  
317 funds necessary to secure such financing or the debt service of bonds  
318 or notes issued to finance such costs, from taxes, fees, rents, benefit  
319 assessments or other revenues and may assess, levy and collect said

320 taxes, fees, rents or benefit assessments concurrently with the issuance  
321 of bonds, notes or other obligations to finance such improvements  
322 based on the estimated cost of the improvements prior to the  
323 acquisition or construction of the improvements or upon the  
324 completion or acquisition of the improvements.

325 (2) Notwithstanding any provision of the general statutes, whenever  
326 the district constructs, improves, extends, equips, rehabilitates, repairs,  
327 acquires or provides a grant for any improvements or finances the cost  
328 of such improvements, such proportion of the cost or estimated cost of  
329 the improvements and financing thereof as determined by the district,  
330 may be assessed by the district, herein referred to as "benefit  
331 assessments", in the manner prescribed by such district, upon the  
332 property benefited by such improvements and the balance of such  
333 costs shall be paid from the general funds of the district. The district  
334 may provide for the payment of such benefit assessments in annual  
335 installments, not exceeding thirty, and may forgive such benefit  
336 assessments in any single year without causing the remainder of  
337 installments of benefit assessments to be forgiven. Benefit assessments  
338 to buildings or structures constructed or expanded after the initial  
339 benefit assessment may be assessed as if the new or expanded  
340 buildings or structures had existed at the time of the original benefit  
341 assessment.

342 (3) In order to provide for the collection and enforcement of its  
343 taxes, fees, rents, benefit assessments and other charges, the district is  
344 hereby granted all the powers and privileges with respect thereto as  
345 districts organized pursuant to section 7-325 of the general statutes,  
346 and as held by the town of Southington or as otherwise provided in  
347 this section. Such taxes, fees, rents or benefit assessments, if not paid  
348 when due, shall constitute a lien upon the premises served and a  
349 charge against the owners thereof, which lien and charge shall bear  
350 interest at the same rate as delinquent property taxes. Each such lien  
351 may be continued, recorded and released in the manner provided for  
352 property tax liens and shall take precedence over all other liens or  
353 encumbrances except a lien for taxes of the town of Southington. Each

354 such lien may be continued, recorded and released in the manner  
355 provided for property tax liens.

356 (4) The budget, taxes, fees, rents, benefit assessments and any other  
357 charges of the district of general application shall be adopted and  
358 revised by the board at least annually no more than thirty days before  
359 the beginning of the fiscal year, in accordance with the procedures to  
360 be established by the board, at a meeting called by the board, assuring  
361 that interested persons are afforded notice and an opportunity to be  
362 heard. The board shall hold at least two public hearings on its schedule  
363 of fees, rates, rents, benefit assessments and other charges or any  
364 revision thereof before adoption, notice of which shall be delivered to  
365 the town manager of the town of Southington and be published in at  
366 least two newspapers of general circulation in the town of Southington  
367 at least ten days in advance of the hearing. No later than the date of the  
368 publication, the board shall make available to the public and deliver to  
369 the town manager of the town of Southington the proposed schedule  
370 of fees, rates, rents, benefit assessments and other charges. The  
371 procedures regarding public hearing and appeal, provided by section  
372 7-250 of the general statutes, shall apply for all benefit assessments  
373 made by the district, except that the board shall be substituted for the  
374 water pollution control authority. Should the benefit assessments be  
375 assessed and levied prior to the acquisition or construction of the  
376 improvements, then the amount of the benefit assessments shall be  
377 adjusted to reflect the actual cost of the improvements, including all  
378 financing costs, once the improvements have been completed, should  
379 the actual cost be greater than or less than the estimated costs. Benefit  
380 assessments shall be due and payable at such times as are fixed by the  
381 board, provided the district shall give notice of such due date not less  
382 than thirty days prior to such due date by publication in a newspaper  
383 of general circulation in the town of Southington and by mailing such  
384 notice to the owners of the property assessed at their last-known  
385 address.

386 (g) (1) Notwithstanding any provision of the general statutes,  
387 including sections 7-324 to 7-329, inclusive, of the general statutes,

388 whenever the district has authorized the acquisition or construction of  
389 the improvements or has made an appropriation therefor, the district  
390 may authorize the issuance of up to ten million dollars of bonds, notes  
391 or other obligations to finance the cost of the improvements, the  
392 creation and maintenance of reserves required to sell the bonds and  
393 the cost of issuance of the bonds, provided no bonds shall be issued  
394 prior to the district entering into an interlocal agreement with the town  
395 of Southington, in accordance with the procedures provided by section  
396 7-339c of the general statutes, including at least one public hearing on  
397 the proposed agreement and ratification by the town council. The  
398 bonds may be secured as to both principal or interest by (A) the full  
399 faith and credit of the district, (B) fees, revenues or benefit assessments,  
400 or (C) a combination of subparagraphs (A) and (B) of this subdivision.  
401 Such bonds shall be authorized by resolution of the board. The district  
402 is authorized to secure such bonds by the full faith and credit of the  
403 district or by a pledge of or lien on all or part of its revenues, fees or  
404 benefit assessments. The bonds of each issue shall be dated, shall bear  
405 interest at the rates and shall mature at the time or times not exceeding  
406 thirty years from their date or dates, as determined by the board, and  
407 may be redeemable before maturity, at the option of the board, at the  
408 price or prices and under the terms and conditions fixed by the board  
409 before the issuance of the bonds. The board shall determine the form of  
410 the bonds, and the manner of execution of the bonds, and shall fix the  
411 denomination of the bonds and the place or places of payment of  
412 principal and interest, which may be at any bank or trust company  
413 within the state of Connecticut and other locations as designated by  
414 the board. In case any officer whose signature or a facsimile of whose  
415 signature shall appear on any bonds or coupons shall cease to be an  
416 officer before the delivery of the bonds, the signature or facsimile shall  
417 nevertheless be valid and sufficient for all purposes the same as if the  
418 officer had remained in office until the delivery.

419 (2) While any bonds issued by the district remain outstanding, the  
420 powers, duties or existence of the district shall not be diminished or  
421 impaired in any way that will affect adversely the interests and rights

422 of the holders of the bonds. Bonds issued under this section, unless  
423 otherwise authorized by law, shall not be considered to constitute a  
424 debt of the state of Connecticut or the town of Southington, or a pledge  
425 of the full faith and credit of the state of Connecticut or the town of  
426 Southington, but the bonds shall be payable solely by the district or as  
427 special obligations payable from particular district revenues. Any  
428 bonds issued by the district shall contain on their face a statement to  
429 the effect that neither the state of Connecticut nor the town of  
430 Southington shall be obliged to pay the principal of or the interest  
431 thereon, and that neither the full faith and credit or taxing power of the  
432 state of Connecticut or the town of Southington is pledged to the  
433 payment of the bonds. All bonds issued under this section shall have  
434 and are hereby declared to have all the qualities and incidents of  
435 negotiable instruments, as provided in title 42a of the general statutes.

436 (h) (1) The board may authorize that the bonds be secured by a trust  
437 agreement by and between the district and a corporate trustee, which  
438 may be any trust company or bank having the powers of a trust  
439 company within the state of Connecticut. The trust agreement may  
440 pledge or assign the revenues. Either the resolution providing for the  
441 issuance of bonds or the trust agreement may contain covenants or  
442 provisions for protecting and enforcing the rights and remedies of the  
443 bondholders as may be necessary, reasonable or appropriate and not in  
444 violation of law.

445 (2) All expenses incurred in carrying out the trust agreement may be  
446 treated as a part of the cost of the operation of the district. The pledge  
447 by any trust agreement or resolution shall be valid and binding from  
448 time to time when the pledge is made; the revenues or other moneys  
449 so pledged and then held or thereafter received by the board shall  
450 immediately be subject to the lien of the pledge without any physical  
451 delivery thereof or further act; and the lien of the pledge shall be valid  
452 and binding as against all parties having claims of any kind in tort,  
453 contract or otherwise against the board, irrespective of whether the  
454 parties have notice thereof. Notwithstanding any provision of the  
455 Uniform Commercial Code, neither this subsection, the resolution or

456 any trust agreement by which a pledge is created need be filed or  
457 recorded except in the records of the board, and no filing need be  
458 made under title 42a of the general statutes.

459 (i) Bonds issued under this section are hereby made securities in  
460 which all public officers and public bodies of the state of Connecticut  
461 and its political subdivisions, all insurance companies, trust  
462 companies, banking associations, investment companies, executors,  
463 administrators, trustees and other fiduciaries may properly and legally  
464 invest funds, including capital in their control and belonging to them;  
465 and such bonds shall be securities which may properly and legally be  
466 deposited with and received by any state or municipal officer or any  
467 agency or political subdivision of the state of Connecticut for any  
468 purpose for which the deposit of bonds of the state of Connecticut is  
469 now or may hereafter be authorized by law.

470 (j) Bonds may be issued under this section without obtaining the  
471 consent of the state of Connecticut or the town of Southington, and  
472 without any proceedings or the happening of any other conditions or  
473 things other than those proceedings, conditions or things that are  
474 specifically required thereof by this section, and the validity of and  
475 security for any bonds issued by the district shall not be affected by the  
476 existence or nonexistence of the consent or other proceedings,  
477 conditions or things.

478 (k) The district and all its receipts, revenues, income and real and  
479 personal property shall be exempt from taxation and benefit  
480 assessments and the district shall not be required to pay any tax, excise  
481 or assessment to or from the state of Connecticut or any of its political  
482 subdivisions. The principal and interest on bonds or notes issued by  
483 the district shall be free from taxation at all times, except for estate and  
484 gift, franchise and excise taxes, imposed by the state of Connecticut or  
485 any political subdivision thereof, provided nothing in this section shall  
486 act to limit or restrict the ability of the state of Connecticut or the town  
487 of Southington to tax the individuals and companies, or their real or  
488 personal property or any person living or business operating within

489 the boundaries of the district.

490 (l) The board shall at all times keep accounts of its receipts,  
491 expenditures, disbursements, assets and liabilities, which shall be open  
492 to inspection by a duly appointed officer or duly appointed agent of  
493 the state of Connecticut or the town of Southington. The fiscal year of  
494 the district shall begin on July first and end on the following June  
495 thirtieth or as otherwise established by section 7-327 of the general  
496 statutes. The district shall be subject to an audit of its accounts in the  
497 manner provided in the general statutes.

498 (m) (1) At such time as any construction or development activity  
499 financed by bonds issued by the district is taking place, the clerk of the  
500 district shall submit project activity reports quarterly to the Secretary  
501 of the Office of Policy and Management and to the chairpersons of the  
502 joint standing committee of the General Assembly having cognizance  
503 of matters relating to finance, revenue and bonding.

504 (2) The district shall take affirmative steps to provide for the full  
505 disclosure of information relating to the public financing and  
506 maintenance of improvements to real property undertaken by the  
507 district. Such information shall be provided to any existing residents  
508 and to all prospective residents of the district. The district shall furnish  
509 each developer of a residential development within the district with  
510 sufficient copies of such information to provide each prospective initial  
511 purchaser of property in such district with a copy, and any developer  
512 of a residential development within the district, when required by law  
513 to provide a public offering statement, shall include a copy of such  
514 information relating to the public financing and maintenance of  
515 improvements in the public offering statement.

516 (n) (1) This section shall be deemed to provide an additional,  
517 alternative and complete method of accomplishing the purposes of this  
518 section and exercising the powers authorized hereby and shall be  
519 deemed and construed to be supplemental and additional to, and not  
520 in derogation of, powers conferred upon the district by law and

521 particularly by sections 7-324 to 7-329, inclusive, of the general  
522 statutes; provided insofar as the proceedings of this section are  
523 inconsistent with any general statute or special act, or any resolution or  
524 ordinance of the town of Southington, this section shall be controlling.

525 (2) Except as specifically provided in this section, all other statutes,  
526 ordinances, resolutions, rules and regulations of the state of  
527 Connecticut and the town of Southington shall be applicable to the  
528 property, residents and businesses located in the district. Nothing in  
529 this section shall in any way obligate the town of Southington to pay  
530 any costs for the acquisition, construction, equipping or operation and  
531 administration of the improvements located within the district or to  
532 pledge any money or taxes to pay debt service on bonds issued by the  
533 district except as may be agreed to in any interlocal agreements  
534 executed by the town of Southington and the district.

535 (o) At the option of the town of Southington by vote of the town  
536 council of the town of Southington, the district shall be merged into the  
537 town of Southington if no bonds are issued by the district not later  
538 than four years after the effective date of this section or after the bonds  
539 authorized by this section are no longer outstanding and any property  
540 which is owned by the district shall be distributed to the town of  
541 Southington.

542 (p) This section being necessary for the welfare of the town of  
543 Southington and its inhabitants shall be liberally construed to affect  
544 the purposes hereof.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2008</i>	New section
Sec. 2	<i>July 1, 2008</i>	New section

**CE**

*Joint Favorable C/R*

FIN