



General Assembly

Amendment

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LCO No. 6376

SB0002606376HDO

Offered by:

REP. STAPLES, 96th Dist.
REP. KIRKLEY-BEY, 5th Dist.
SEN. DAILY, 33rd Dist.
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To: Subst. Senate Bill No. 26

File No. 354

Cal. No. 340

**"AN ACT CONCERNING CERTAIN PROGRAMS ADMINISTERED
BY THE OFFICE OF POLICY AND MANAGEMENT."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subdivision (45) of subsection (a) of section 16-1 of the
4 2008 supplement to the general statutes is repealed and the following
5 is substituted in lieu thereof (*Effective from passage*):

6 (45) "Sustainable biomass" means biomass that is cultivated and
7 harvested in a sustainable manner. "Sustainable biomass" does not
8 mean construction and demolition waste, as defined in section 22a-
9 208x, finished biomass products from sawmills, paper mills or stud
10 mills, organic refuse fuel derived separately from municipal solid
11 waste, or biomass from old growth timber stands, except where (A)
12 such biomass is used in a biomass gasification plant that received

13 funding prior to May 1, 2006, from the Renewable Energy Investment
14 Fund established pursuant to section 16-245n of the 2008 supplement
15 to the general statutes, or (B) the energy derived from such biomass is
16 subject to a long-term power purchase contract pursuant to
17 subdivision (2) of subsection (j) of section 16-244c of the 2008
18 supplement to the general statutes entered into prior to May 1, 2006,
19 [or] (C) such biomass is used in a renewable energy facility that is
20 certified as a Class I renewable energy source by the department until
21 such time as the department certifies that any biomass gasification
22 [plan] plant, as defined in subparagraph (A) of this [subsection]
23 subdivision, is operational and accepting such biomass, in an amount
24 not to exceed one hundred forty thousand tons annually, is used in a
25 renewable energy facility that was certified as a Class I renewable
26 energy source by the department prior to December 31, 2007, and uses
27 biomass, including construction and demolition waste as defined in
28 section 22a-208x, from a Connecticut-sited transfer station and volume-
29 reduction facility that generated biomass during calendar year 2007
30 that was used during calendar year 2007 to generate Class I renewable
31 energy certificates, or (D) in the event there is no facility as described
32 in subparagraph (A) or (C) of this subdivision accepting such biomass,
33 in an amount not to exceed one hundred forty thousand tons annually,
34 is used in one or more other renewable energy facilities certified either
35 as a Class I or Class II renewable energy source by the department,
36 provided such facilities use biomass, including construction and
37 demolition waste as defined in said section 22a-208x, from a
38 Connecticut-sited transfer station and volume-reduction facility that
39 generated biomass during calendar year 2007 that was used during
40 calendar year 2007 to generate Class I renewable energy certificates.
41 Notwithstanding the provisions of subparagraphs (C) and (D) of this
42 subdivision, the amount of biomass specified in said subparagraphs
43 shall not apply to a biomass gasification plant, as defined in
44 subparagraph (A) of this subdivision.

45 Sec. 502. Subsection (4) of section 32-600 of the general statutes is
46 repealed and the following is substituted in lieu thereof (*Effective from*

47 *passage*):

48 (4) "Convention center facilities" means (A) the convention center
49 and the related parking facilities, as defined in section 32-651, to the
50 extent such related parking facilities are developed, owned or operated
51 by the authority, [and may include] (B) the on-site related private
52 development, as defined in section 32-651, to the extent any such on-
53 site related private development is developed, owned or operated by
54 the authority pursuant to a determination by the Secretary of the Office
55 of Policy and Management and the authority that such development,
56 ownership or operation by the authority is necessary and in the public
57 interest, and (C) a central heating and cooling plant serving the
58 convention center, the related parking facilities, the related private
59 development and, to the extent of any surplus capacity, other users.
60 "Convention center facilities" does not include the convention center
61 hotel.

62 Sec. 503. Section 32-600 of the general statutes is amended by adding
63 subdivision (8) as follows (*Effective from passage*):

64 (NEW) (8) "Private development district" means any land on the
65 Adriaen's Landing site that is designated jointly by the Secretary of the
66 Office of Policy and Management and the authority as available for the
67 purpose of on-site related private development and in need of
68 inducement for private development and operation. Only land on
69 which construction of a building or improvement is to commence on
70 or after July 1, 2008, shall be so designated. Any land so designated
71 shall remain part of the private development district during the term,
72 including any extensions, of any agreement providing for payments to
73 the authority in lieu of real property taxes entered into pursuant to
74 subsection (d) of section 32-602, as amended by this act, and thereafter,
75 until the Secretary of the Office of Policy and Management and the
76 authority certify that such designation is no longer a needed
77 inducement to private development and operation. As used in this
78 subdivision, "land" includes an easement to use air space, whether or
79 not contiguous to the surface of the ground.

80 Sec. 504. Section 32-602 of the general statutes is amended by adding
81 subsection (d) as follows (*Effective from passage*):

82 (NEW) (d) The authority shall have the power to negotiate, and,
83 with the approval of the Secretary of the Office of Policy and
84 Management, to enter into an agreement with any private developer,
85 owner or lessee of any building or improvement located on land in a
86 private development district, as defined in section 32-600, as amended
87 by this act, providing for payments to the authority in lieu of real
88 property taxes. Such an agreement shall be made a condition of any
89 private right of development within the private development district,
90 and shall include a requirement that such private developer, owner or
91 lessee make good-faith efforts to hire, or cause to be hired, available
92 and qualified minority business enterprises, as defined in section 4a-
93 60g, to provide construction services and materials for improvements
94 to be constructed within the private development district in an effort to
95 achieve a minority business enterprise utilization goal of ten per cent
96 of the total costs of construction services and materials for such
97 improvements. Such payments to the authority in lieu of real property
98 taxes shall have the same lien and priority, and may be enforced by the
99 authority in the same manner, as provided for municipal real property
100 taxes. Such payments as received by the authority shall be used to
101 carry out the purposes of the authority set forth in subsection (a) of this
102 section.

103 Sec. 505. Subsection (b) of section 32-664 of the general statutes is
104 repealed and the following is substituted in lieu thereof (*Effective from*
105 *passage*):

106 (b) Each license, permit and approval required or permitted to be
107 issued, and each administrative action required or permitted to be
108 taken pursuant to the general statutes in connection with the overall
109 project, shall be issued or taken upon application to the particular
110 commissioner or commissioners having the jurisdiction over such
111 license, permit, approval or other administrative action or such other
112 state official as such commissioner shall designate. No agency,

113 commission, council, committee, panel or other body whatsoever other
114 than such commissioner shall have jurisdiction over or cognizance of
115 any licenses, permits, approvals or administrative actions concerning
116 the overall project. No notice of any tentative determination or any
117 final determination regarding any such license, permit, approval or
118 administrative action and no notice of any such license, permit,
119 approval or administrative action shall be required except as expressly
120 provided in this section. No ordinance, law or regulation adopted by,
121 or authority granted to, any municipality or any other political
122 subdivision of the state, other than the authority, shall apply to the
123 overall project, or to the operation of improvements in the private
124 development district to the extent such matters of operation are
125 otherwise governed by this chapter, chapter 588x or other applicable
126 provisions of state law, except that the stadium facility and the
127 stadium facility project shall comply with the provisions of any local
128 noise ordinance that embraces the ambient noise standard, as provided
129 in section 22a-69, except that such local noise ordinance shall not apply
130 to The University of Connecticut sporting events. Any enforcement
131 action shall be based on objective scientific measurements. No
132 municipality shall impose, as a condition of the availability of any state
133 or federal funds under a program administered by such municipality,
134 any requirement that such municipality would not have the authority
135 to impose directly by operation of this subsection, except as otherwise
136 mandated by federal law.

137 Sec. 506. Section 32-666 of the general statutes is repealed and the
138 following is substituted in lieu thereof (*Effective from passage*):

139 (a) Any land on the Adriaen's Landing site leased by the secretary
140 for purposes of site acquisition for an initial term of at least ninety-nine
141 years shall, while such lease remains in effect, be deemed to be state-
142 owned real property for purposes of sections 12-19a and 12-19b and
143 subdivision (2) of section 12-81 of the 2008 supplement to the general
144 statutes and the state shall make grants in lieu of taxes with respect to
145 such land to the municipality in which the same is located as otherwise
146 provided in sections 12-19a and 12-19b.

147 (b) Any land that comprises a private development district
148 designated pursuant to section 32-600, as amended by this act, and all
149 improvements on or to such land shall, while such designation
150 continues, be deemed to be state-owned real property for purposes of
151 sections 12-19a and 12-19b and subdivision (2) of section 12-81, and the
152 state shall make grants in lieu of taxes with respect to such land and
153 improvements to the municipality in which the same is located as
154 otherwise provided in sections 12-19a and 12-19b. Section 32-666a shall
155 not be applicable to any such land or improvements while designated
156 as part of the private development district.

157 Sec. 507. Section 13b-53 of the general statutes, as amended by house
158 bill 5746 of the current session, is repealed and the following is
159 substituted in lieu thereof (*Effective from passage*):

160 The commissioner may, on behalf of the state, acquire, own,
161 construct, maintain or operate, upon, at or near the seaboard or any
162 navigable waterway, land, or any harbor, wharf, dock, pier, quay,
163 canal, slip or basin, or any appropriate harbor facility, shed, warehouse
164 of any kind, vault, railroad track, yard, terminal or equipment, or such
165 other facility related to the transportation of goods or people by water
166 as he deems necessary to the fulfillment of the purposes of this
167 chapter. The commissioner, with the approval of the State Properties
168 Review Board, the Office of Policy and Management and the Attorney
169 General, may lease or grant any interest at the State Pier in New
170 London or any navigation property owned or under the control of the
171 Department of Transportation to any person and in any manner, as he
172 deems appropriate, except that after initiating such approval, the
173 commissioner may temporarily lease any such interest with the
174 approval of the Secretary of the Office of Policy and Management. A
175 temporary lease shall be effective only until a final decision is made by
176 the Office of Policy and Management, the State Properties Review
177 Board and the Attorney General. Leases of land of the state shall be for
178 periods determined by the commissioner with the approval of the
179 State Properties Review Board and may provide for the construction of
180 buildings on the land. The commissioner may confer the privilege of

181 concessions of supplying, upon such facilities, goods, commodities,
182 service and facilities."