



General Assembly

January Session, 2009

Raised Bill No. 851

LCO No. 3105

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Referred to Committee on Planning and Development

Introduced by:
(PD)

AN ACT CONCERNING RECREATIONAL AND EDUCATIONAL FACILITIES OF THE METROPOLITAN DISTRICT COMMISSION.

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

1 Section 1. Section 2 of number 511 of the special acts of 1929, as
2 amended by number 327 of the special acts of 1931, section 1 of special
3 act 79-102, section 1 of special act 81-56 and section 1 of special act 90-27,
4 is amended to read as follows (*Effective from passage*):

5 Said district shall have within its territorial limits, except as
6 hereinafter provided, the following powers and duties:

7 (a) The layout, construction maintenance, paving, repair,
8 improvement, widening, extension, alteration and discontinuance of
9 public highways, streets, walks, bridges, viaducts and ways, street
10 lighting and sprinkling, the removal of snow and ice and the
11 establishment of street, building and veranda lines, provided the
12 authority of said district shall include only such streets and highways as
13 enter more than one of the towns of said district or shall form a
14 boundary or part of a boundary between two or more of such towns, and
15 have, from time to time, been designated and described or laid out by

16 vote of the district board, or streets or highways existing or proposed,
17 which are voluntarily turned over to said district by any town or city
18 within said district acting through the duly constituted authority of any
19 such town or city having authority to lay out highways and have been
20 accepted by said district; (b) the layout, building, creation, maintenance,
21 improvement, alteration, repair and discontinuance of sewers and
22 sanitary systems and plants for the disposal of sewage, the collection and
23 disposal of garbage and refuse, the planning, design, construction and
24 the control, operation and maintenance of resource recovery facilities
25 utilizing processes aimed at reclaiming the material for energy values
26 from solid waste or other solid waste or refuse disposal facilities
27 designed to recover resources from materials that are useless, unwanted
28 or discarded, including contracting with the Connecticut Resources
29 Recovery Authority with respect to the planning, design, construction,
30 operation, ownership, maintenance or other function deemed necessary,
31 convenient or desirable by the district with respect to the foregoing, the
32 construction of drains for water or sewage and the control and
33 maintenance of all the foregoing in the public highways and elsewhere
34 throughout the district, together with such control of the streams and
35 water courses of said district as is necessary or convenient for the
36 foregoing as hereinafter more particularly stated; for the purposes of
37 effectuating and carrying out any contract with the Connecticut
38 Resources Recovery Authority, as described in this section, the
39 Metropolitan District shall be deemed to be a municipal authority within
40 the meaning of chapter 361b of the general statutes, and shall have,
41 notwithstanding any other provisions of law, full power to provide for
42 and regulate the collection and disposal of all garbage, trash, waste and
43 ashes either by contract or otherwise within the district provided that the
44 district board has adopted a solid waste management plan in conformity
45 with chapter 361a of the general statutes; (c) the creation, maintenance,
46 extension, improvement, alteration, repair and operation of a water
47 system including the impounding of water both within and without the
48 territorial limits of said district, and the transmission and transportation
49 of the same and the sale and delivery at retail or otherwise by means of a

50 pipe system or otherwise; (d) the construction, maintenance,
51 improvement, operation, alteration and repair of hydroelectric dams
52 both within and without the territorial limits of said district, and the
53 transmission, sale and distribution of electricity produced by
54 hydroelectric dams to public service companies, municipal electric
55 energy cooperatives, municipal utilities or municipalities; (e) the
56 creation, establishment, [and] maintenance or support of active
57 recreational and educational facilities, including, but not limited to, the
58 ownership, construction, improvement, extension, operation and
59 maintenance of a public golf course, managed on a for-profit basis, and
60 any and all facilities customarily appurtenant thereto, including
61 clubhouse, pro shop and restaurant; the lease of all or any part of any
62 park or active recreational or educational facility upon any such terms or
63 conditions and for such term of years as the district board may deem
64 advisable where, in the determination of said board, such lease or leases
65 are for commercial uses related to the public uses of the facility; the
66 establishment, charging, collection and revision of fees, rents and other
67 charges for the use of any such facility, and the provision by ordinance
68 for the management and operation of any such facility, provided the
69 powers granted pursuant to this subsection shall only be exercised on
70 nonreservoir lands located [in the towns of Glastonbury or Manchester]
71 within the territorial jurisdiction of the district; (f) in connection with any
72 of the foregoing functions, said district shall have, so far as may be
73 necessary for the convenient carrying out of all or any of the foregoing
74 functions, exclusive control of engineering, control of finance, the right to
75 lay and collect taxes, the right to borrow money and to pledge the credit
76 of the district, as security therefor, the right to issue evidences of
77 indebtedness for and in behalf of said district and such other necessary
78 or convenient auxiliary and collateral functions as are hereinafter
79 indicated, including the right to take property by right of eminent
80 domain, the right to assess benefits and damages in the layout of any
81 public improvement included within the scope of the powers herein
82 granted and generally the powers granted to municipal corporations by
83 the general statutes so far as may relate to functions hereby transferred.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	Number 511 of the special acts of 1929, Sec. 2, as amended by number 327 of the special acts of 1931, section 1 of special act 79-102, section 1 of special act 81-56 and section 1 of special act 90-27

Statement of Purpose:

To authorize the Metropolitan District to support active recreational and educational facilities and to provide such facilities on lands within the jurisdiction of the district.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]