



General Assembly

Amendment

January Session, 2017

LCO No. 8030



Offered by:

REP. CANDELARIA, 95th Dist.
REP. ROSARIO, 128th Dist.
REP. PAOLILLO, 97th Dist.
REP. DIMASSA, 116th Dist.

REP. REYES, 75th Dist.
REP. VERRENGIA, 20th Dist.
REP. CANDELORA, 86th Dist.

To: Subst. Senate Bill No. 957

File No. 310

Cal. No. 569

(As Amended by Senate Amendment Schedule "A")

**"AN ACT CONCERNING THE REGULATION OF GAMING AND
THE AUTHORIZATION OF A CASINO GAMING FACILITY IN THE
STATE."**

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

3 "Section 1. (*Effective from passage*) (a) Not later than January 1, 2018,
4 the Commissioners of Consumer Protection and Economic and
5 Community Development shall jointly develop and issue a request for
6 proposals to select an individual, a business organization or an Indian
7 tribe to develop, manage, operate and maintain a possible casino
8 gaming facility in the state. The request for proposals shall require a
9 responder to:

10 (1) Provide a market analysis detailing the benefits of the proposed

11 casino gaming facility and the potential impacts on the municipality in
12 which the proposed casino gaming facility may be located and on the
13 surrounding region and the state. The market analysis shall include,
14 but not be limited to, (A) the economic impact on the municipality and
15 the surrounding region, (B) costs to and social, environmental, traffic
16 and infrastructural impacts on the municipality and the surrounding
17 region, (C) the impact of the proposed casino gaming facility on the
18 casino gaming facilities operated by the Mashantucket Pequot Tribe
19 and the Mohegan Tribe of Indians, (D) an estimate of the number of
20 employees to be employed at the proposed casino gaming facility,
21 including information regarding the pay rate and benefits for such
22 employees and a statement of whether the responder has a contract
23 with organized labor and has the support of organized labor for the
24 responder's proposal, and (E) a plan to attract both residents and
25 tourists to the proposed casino gaming facility;

26 (2) Submit (A) a development agreement entered into by the
27 responder with a municipality regarding the establishment of the
28 proposed casino gaming facility in the municipality, provided such
29 development agreement (i) requires the responder to make an annual
30 payment to the municipality in an amount not less than eight million
31 dollars if and when the proposed casino gaming facility becomes
32 operational, and (ii) was approved, notwithstanding the provisions of
33 any municipal charter, special act or ordinance, by a referendum of the
34 municipality, and (B) a plan for revenue sharing with municipalities
35 adjoining the municipality in which the proposed casino gaming
36 facility may be located;

37 (3) Provide information and documentation to demonstrate that the
38 responder has sufficient business ability, experience and financial
39 stability to develop, manage, operate and maintain the proposed
40 casino gaming facility;

41 (4) Demonstrate the responder's ability to pay a nonrefundable
42 licensing fee of two hundred million dollars and agree to pay such fee,
43 if the responder is selected to develop, manage, operate and maintain a

44 casino gaming facility in the state, prior to the beginning of
45 construction;

46 (5) Agree to make a total investment of not less than three hundred
47 fifty million dollars in the proposed casino gaming facility;

48 (6) Agree to pay to the state thirty-five per cent of the gross gaming
49 revenue from the operation of (A) video facsimile games, if any, at the
50 proposed casino gaming facility, and (B) all other games at the
51 proposed casino gaming facility;

52 (7) Submit the designs for the proposed casino gaming facility and a
53 timeline for its construction;

54 (8) Describe the type and number of games to be conducted at the
55 proposed casino gaming facility;

56 (9) Describe a process to maximize the use of small contractors and
57 minority business enterprises, as both terms are defined in section 4a-
58 60g of the general statutes, and veteran-owned micro businesses, as
59 defined in subsection (c) of section 4a-59 of the general statutes, and
60 agree to set aside, for award to small contractors, minority business
61 enterprises and veteran-owned micro businesses, at least twenty-five
62 per cent of the total value of all contracts it awards to build the
63 proposed casino gaming facility;

64 (10) Submit a plan to mitigate the potential negative public health
65 consequences associated with gambling and the operation of the
66 proposed casino gaming facility;

67 (11) Provide a plan to protect off-track betting facilities throughout
68 the state from any adverse impacts due to the operation of the
69 proposed casino gaming facility;

70 (12) Certify that any principal stockholders or members of the
71 responder will submit to the jurisdiction of the courts of this state and
72 that the responder has designated an agent for service of process in the
73 state; and

74 (13) Provide any other information the commissioners deem
75 necessary to evaluate the qualifications of a responder.

76 (b) The response shall be accompanied by a fee of fifteen million
77 dollars, which shall be refundable if the responder is not selected by
78 the commissioners to develop, manage, operate and maintain a casino
79 gaming facility in the state or if the General Assembly does not
80 authorize the operation of a casino gaming facility in the state. The
81 commissioners shall waive such fee for any response submitted by the
82 Mashantucket Pequot Tribe or the Mohegan Tribe of Indians of
83 Connecticut.

84 (c) The responder shall bear the costs incurred by a municipality in
85 connection with the referendum under subparagraph (A)(ii) of
86 subdivision (2) of subsection (a) of this section.

87 (d) When evaluating the responses submitted, the commissioners
88 shall consider, and shall select the responder that best meets, the
89 following criteria in addition to the requirements set forth in
90 subsection (a) of this section:

91 (1) The responder has demonstrated it is adequately capitalized to
92 develop, manage, operate and maintain a casino gaming facility of
93 high quality;

94 (2) The designs and plans submitted by the responder meet the
95 minimum investment level specified in subdivision (5) of subsection
96 (a) of this section;

97 (3) The responder has a demonstrated history of creating a diverse
98 range of skilled and unskilled permanent jobs, maximizing the creation
99 of new jobs and implementing initial and ongoing workforce
100 development training programs in the development, management and
101 operation of casino gaming facilities. The potential for the creation of
102 new jobs shall be evaluated with consideration given to the forecasted
103 increase in net available jobs in the state after accounting for the
104 potential positive or negative impacts of the proposed casino gaming

105 facility on the casino gaming facilities operated by the Mashantucket
106 Pequot Tribe and the Mohegan Tribe of Indians;

107 (4) The responder has a demonstrated history of excellence in resort
108 design and architecture, including the prevalence of projects that meet
109 or exceed gold certification under the applicable LEED Green Building
110 Rating System, as defined in section 12-217mm of the general statutes,
111 and the designs and plans submitted by the responder reflect the same;

112 (5) The responder has a demonstrated history of excellence in
113 developing casino gaming facilities with high-quality gaming and
114 nongaming amenities, and the designs and plans submitted by the
115 responder reflect the same;

116 (6) The responder has a demonstrated history of developing,
117 managing, operating and maintaining casino gaming facilities that
118 match the existing infrastructure capabilities of the areas surrounding
119 such facilities, and the designs and plans submitted by the responder
120 reflect the same;

121 (7) The responder has a demonstrated history of maximizing
122 revenue generated from out-of-state tourism through the
123 development, management and operation of casino gaming facilities
124 and of securing larger shares of the gaming market, and the designs
125 and plans submitted by the responder reflect the same;

126 (8) The responder has a demonstrated ability to generate substantial
127 revenues from casino gaming facilities in a competitive environment
128 and under varying economic conditions, and the designs and plans
129 submitted by the responder reflect the same;

130 (9) The responder owns or has secured the rights to use established
131 or widely recognized casino brand names. For the purposes of this
132 subdivision, brand names associated with the casino gaming facilities
133 owned by the Mashantucket Pequot Tribe or the Mohegan Tribe of
134 Indians of Connecticut shall be considered to be established or widely
135 recognized casino brand names;

136 (10) The responder or its affiliates, or both, have a demonstrated
137 history of entering into (A) collective bargaining agreements for the
138 management and operation of its casino gaming facilities, and (B)
139 project labor agreements for the development and construction of its
140 casino gaming facilities;

141 (11) The responder has a demonstrated history of conducting
142 business with small contractors, minority business enterprises and
143 veteran-owned micro businesses; and

144 (12) The responder has a demonstrated history of coordinating with
145 local and state law enforcement for public safety and security matters,
146 and the designs and plans submitted by the responder reflect the same.

147 (e) The commissioners shall jointly submit a report, in accordance
148 with the provisions of section 11-4a of the general statutes, to the joint
149 standing committees of the General Assembly having cognizance of
150 matters relating to finance, revenue and bonding, public safety and
151 security and commerce that (1) describes and summarizes the request
152 for proposals and the responses received, (2) identifies the individual,
153 business organization or Indian tribe selected jointly by the
154 commissioners to develop, manage, operate and maintain a proposed
155 casino gaming facility in the state, and (3) demonstrates that such
156 individual, business organization or Indian tribe satisfies the
157 requirements of the request for proposals set forth in subsection (a) of
158 this section and meets the selection criteria set forth in subsection (d) of
159 this section.

160 (f) No individual, business organization or Indian tribe selected may
161 establish a casino gaming facility in the state until (1) the General
162 Assembly has enacted legislation that provides for the operation of a
163 casino gaming facility and authorizes participation in games at such
164 facility, and such legislation has taken effect, and (2) has paid the
165 nonrefundable licensing fee as set forth in subdivision (4) of subsection
166 (a) of this section."

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | New section |