



General Assembly

February Session, 2018

Raised Bill No. 5305

LCO No. 1608



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

AN ACT CONCERNING A REQUEST FOR PROPOSALS TO QUALIFY AN ENTITY TO DEVELOP A CASINO GAMING FACILITY IN THE STATE.

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

1 Section 1. (*Effective from passage*) (a) Not later than ninety days after
2 the effective date of this section, the Commissioners of Consumer
3 Protection and Economic and Community Development shall jointly
4 develop and issue a request for proposals to qualify an individual, a
5 business organization or an Indian tribe to develop, manage and
6 operate a possible casino gaming facility in the state.

7 (b) The request for proposals shall require a responder to:

8 (1) Provide an outline of the significant benefits that the proposed
9 casino gaming facility will bring to the municipality in which the
10 proposed casino gaming facility may be located, the surrounding
11 municipalities and the state, and include a marketing and tourism
12 plan;

13 (2) Submit (A) a development agreement entered into by the

14 responder with a municipality regarding the establishment of the
15 proposed casino gaming facility in the municipality, provided such
16 development agreement (i) requires the responder to make an annual
17 payment to the municipality in an amount not less than eight million
18 dollars if and when the proposed casino gaming facility becomes
19 operational, and (ii) was approved, notwithstanding the provisions of
20 any municipal charter, special act or ordinance, by a referendum of the
21 municipality not later than January 1, 2019, and (B) a plan for revenue
22 sharing with municipalities surrounding the municipality in which the
23 proposed casino gaming facility may be located;

24 (3) Submit a workforce development agreement entered into by the
25 responder with a municipality regarding the establishment of a
26 regional workforce development center to be located in the
27 municipality for the purposes of training employees of the proposed
28 casino gaming facility;

29 (4) Submit a market analysis detailing the benefits of the proposed
30 casino gaming facility;

31 (5) Agree to make a total investment of not less than five hundred
32 million dollars in the proposed casino gaming facility;

33 (6) Provide information and documentation to demonstrate that the
34 responder has sufficient business ability, experience and financial
35 stability to develop, manage, operate and maintain the proposed
36 casino gaming facility;

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

39 (8) Estimate the number of employees, not less than two thousand
40 persons, to be employed at the proposed casino gaming facility and
41 provide information regarding the pay rate and benefits for such
42 employees;

43 (9) Provide evidence that the responder has a labor neutrality

44 agreement with organized labor for the proposed casino gaming
45 facility;

46 (10) Describe a process to maximize the use of small contractors and
47 minority business enterprises, as both terms are defined in section 4a-
48 60g of the general statutes, and veteran-owned micro businesses, as
49 defined in subsection (c) of section 4a-59 of the general statutes;

50 (11) Submit a responsible gaming plan associated with the operation
51 of the proposed casino gaming facility;

52 (12) Describe the types and number of games to be conducted at the
53 proposed casino gaming facility;

54 (13) Demonstrate the responder's ability to pay a one-time licensing
55 fee of not less than fifty million dollars for a possible license to operate
56 the proposed casino gaming facility in the state before the
57 commencement of construction of the proposed casino gaming facility;

58 (14) Agree to pay to the state (A) a minimum of twenty-five per cent
59 of the gross gaming revenue from the operation of all gambling games
60 at the proposed casino gaming facility, and (B) a minimum of ten per
61 cent of the gross gaming revenue from the operation of video slot
62 machine games at the proposed casino gaming facility; and

63 (15) Provide any other information the commissioners deem
64 necessary to evaluate the qualifications of a responder.

65 (c) The response shall be submitted by January 1, 2019, and shall be
66 accompanied by a fee of five million dollars, which shall be refundable
67 if (1) the responder is not selected by the commissioners to be qualified
68 and waives the right to challenge the commissioners' decision, or (2)
69 the General Assembly does not authorize the operation of a casino
70 gaming facility in the state.

71 (d) The commissioners shall develop selection criteria to evaluate
72 responses and may qualify one person, business organization or Indian
73 tribe that submits a response to the request for proposals to develop,

74 manage and operate a possible casino gaming facility in the state.

75 (e) On or before April 1, 2019, the commissioners shall jointly
76 submit a report, in accordance with the provisions of section 11-4a of
77 the general statutes, to the joint standing committees of the General
78 Assembly having cognizance of matters relating to public safety and
79 security and commerce that (1) describes and summarizes the request
80 for proposals, the responses received and the selection criteria, (2)
81 identifies the individual, business organization or Indian tribe selected
82 jointly by the commissioners to be qualified to develop, manage,
83 operate and maintain a proposed casino gaming facility in the state,
84 and (3) demonstrates that such person, business organization or Indian
85 tribe satisfies the requirements of the request for proposal set forth in
86 subsection (b) of this section and meets the selection criteria.

87 (f) No individual, business organization or Indian tribe selected by
88 the commissioners may operate a casino gaming facility in the state
89 until the General Assembly has enacted legislation to provide for the
90 licensing and operation of a casino gaming facility and such legislation
91 has taken effect.

92 Sec. 2. Section 12-557b of the 2018 supplement to the general statutes
93 is repealed and the following is substituted in lieu thereof (*Effective*
94 *from passage*):

95 As used in this chapter, sections [12-578a to 12-578e, inclusive,] 12-
96 579 and 12-580 [, and chapter 226b, [and section 53-278g,] unless the
97 context otherwise requires:

98 (1) "Commissioner" means the Commissioner of Consumer
99 Protection;

100 (2) "Department" means the Department of Consumer Protection;

101 (3) "Business organization" means a partnership, incorporated or
102 unincorporated association, firm, corporation, trust or other form of
103 business or legal entity, other than a financial institution regulated by a

104 state or federal agency which is not exercising control over an
105 association licensee; [, but does not mean a governmental or sovereign
106 entity;] and

107 (4) "Control" means the power to exercise authority over or direct
108 the management and policies of a person or business organization. [;]

109 [(5) "Casino gaming facility" means any casino gaming facility
110 authorized by any provision of the general statutes or a public or
111 special act to conduct authorized games on its premises, but does not
112 include any casino gaming facility located on Indian lands pursuant to
113 the Indian Gaming Regulatory Act, P.L. 100-497, 25 USC 2701 et seq.;

114 (6) "Authorized game" means any game of chance specifically
115 authorized to be conducted at a casino gaming facility by any
116 provision of the general statutes or a public or special act; and

117 (7) "Gross gaming revenue" means the total of all sums actually
118 received by a casino gaming facility from gaming operations less the
119 total of all sums paid as winnings to patrons of the casino gaming
120 facility, provided the total of all sums paid as winnings to such patrons
121 shall not include the cash equivalent value of any merchandise or
122 thing of value included in a jackpot or payout, and provided further
123 the issuance to or wagering by such patrons of any promotional
124 gaming credit shall not be included in the total of all sums actually
125 received by a casino gaming facility for the purposes of determining
126 gross gaming revenue.]

127 Sec. 3. Section 12-561 of the 2018 supplement to the general statutes
128 is repealed and the following is substituted in lieu thereof (*Effective*
129 *from passage*):

130 No commissioner or unit head or employee of the department shall
131 directly or indirectly, individually or as a member of a partnership or
132 as a shareholder of a corporation, have any interest whatsoever in
133 dealing in any lottery, racing, fronton [,] or betting enterprise [or
134 casino gaming facility] or in the ownership or leasing of any property

135 or premises used by or for any lottery, racing, fronton [] or betting
136 enterprise. [or casino gaming facility.] No commissioner or unit head
137 shall, directly or indirectly, wager at any off-track betting facility, race
138 track or fronton authorized under this chapter [] or purchase lottery
139 tickets issued under this chapter. [or play, directly or indirectly, any
140 authorized game conducted at a casino gaming facility.] The
141 commissioner may adopt regulations in accordance with the
142 provisions of chapter 54 to prohibit any employee of the department
143 from engaging, directly or indirectly, in any form of legalized
144 gambling activity in which such employee is involved because of his or
145 her employment with the department. For purposes of this section,
146 "unit head" means a managerial employee with direct oversight of a
147 legalized gambling activity.

148 Sec. 4. Subsection (a) of section 12-562 of the 2018 supplement to the
149 general statutes is repealed and the following is substituted in lieu
150 thereof (*Effective from passage*):

151 (a) Except as provided in subsection (b) of this section, the
152 commissioner shall have power to enforce the provisions of this
153 chapter and chapter 226b, and shall adopt all necessary regulations for
154 that purpose and for carrying out, enforcing and preventing violation
155 of any of the provisions of this chapter, for the inspection of licensed
156 premises [] or enterprises, [or casino gaming facilities,] for insuring
157 proper, safe and orderly conduct of licensed premises [] or enterprises
158 [or casino gaming facilities] and for protecting the public against fraud
159 or overcharge. The commissioner shall have power generally to do
160 whatever is reasonably necessary for the carrying out of the intent of
161 this chapter; and may call upon other administrative departments of
162 the state government and of municipal governments for such
163 information and assistance as he or she deems necessary to the
164 performance of his or her duties. The commissioner shall set racing
165 and jai alai meeting dates, except that the commissioner may delegate
166 to designated staff the authority for setting make-up performance
167 dates. The commissioner shall, as far as practicable, avoid conflicts in
168 the dates assigned for racing or the exhibition of the game of jai alai in

169 the state.

170 Sec. 5. Section 12-563a of the 2018 supplement to the general statutes
171 is repealed and the following is substituted in lieu thereof (*Effective*
172 *from passage*):

173 The Commissioner of Consumer Protection shall, within available
174 resources, prepare and distribute informational materials designed to
175 inform the public of the programs available for the prevention,
176 treatment and rehabilitation of compulsive gamblers in this state. The
177 commissioner shall require [any casino gaming facility and] any
178 person or business organization which is licensed to sell lottery tickets,
179 operate an off-track betting system or conduct wagering on racing
180 events or jai alai games, to display such informational materials at [the
181 casino gaming facility and] each licensed premise. [, respectively.]

182 Sec. 6. Subdivision (2) of subsection (a) of section 12-578 of the 2018
183 supplement to the general statutes is repealed and the following is
184 substituted in lieu thereof (*Effective from passage*):

185 (2) Licenses: (A) Owner, one hundred dollars; (B) trainer, one
186 hundred dollars; (C) assistant trainer, one hundred dollars; (D) jockey,
187 forty dollars; (E) jockey agent, for each jockey, one hundred dollars; (F)
188 stable employees, including exercise boy, groom, stable foreman, hot
189 walker, outrider, twenty dollars; (G) veterinarian, one hundred dollars;
190 (H) jockey apprentice, forty dollars; (I) driver, one hundred dollars; (J)
191 valet, twenty dollars; (K) blacksmith, twenty dollars; (L) plater, twenty
192 dollars; (M) concessionaire, for each concession, two hundred fifty
193 dollars; (N) concessionaire affiliate, for each concession of the
194 concessionaire, two hundred fifty dollars; (O) concession employees,
195 twenty dollars; (P) jai alai players, one hundred dollars; (Q) officials
196 and supervisors, one hundred dollars; (R) pari-mutuel employees,
197 forty dollars; (S) other personnel engaged in activities regulated under
198 this chapter, twenty dollars; (T) vendor, for each contract, two hundred
199 fifty dollars; (U) totalizator, for each contract, two hundred fifty
200 dollars; and (V) vendor and totalizator affiliates, for each contract of

201 the vendor or totalizator, two hundred fifty dollars; [; (W) gaming
202 employee, forty dollars; (X) nongaming vendor, two hundred fifty
203 dollars; (Y) gaming services, five hundred dollars; and (Z) gaming
204 affiliate, two hundred fifty dollars.] For the purposes of this
205 subdivision, "concessionaire affiliate" means a business organization,
206 other than a shareholder in a publicly traded corporation, that may
207 exercise control in or over a concessionaire; and "concessionaire"
208 means any individual or business organization granted the right to
209 operate an activity at a dog race track or off-track betting facility for
210 the purpose of making a profit that receives or, in the exercise of
211 reasonable business judgment, can be expected to receive more than
212 twenty-five thousand dollars or twenty-five per cent of its gross
213 annual receipts from such activity at such track or facility.

214 Sec. 7. Section 53-278g of the 2018 supplement to the general statutes
215 is repealed and the following is substituted in lieu thereof (*Effective*
216 *from passage*):

217 (a) Nothing in sections 53-278a to 53-278f, inclusive, shall be
218 construed to prohibit the publication of an advertisement of, or the
219 operation of, or participation in, a state lottery, pari-mutuel betting at
220 race tracks licensed by the state, off-track betting conducted by the
221 state or a licensee authorized to operate the off-track betting system,
222 [authorized games at a casino gaming facility,] a promotional drawing
223 for a prize or prizes, conducted for advertising purposes by any
224 person, firm or corporation other than a retail grocer or retail grocery
225 chain, wherein members of the general public may participate without
226 making any purchase or otherwise paying or risking credit, money, or
227 any other tangible thing of value or a sweepstakes conducted pursuant
228 to sections 42-295 to 42-301, inclusive.

229 (b) The Mashantucket Pequot tribe and the Mohegan Tribe of
230 Indians of Connecticut, or their agents, may use and possess at any
231 location within the state, solely for the purpose of training individuals
232 in skills required for employment by the tribe or testing a gambling
233 device, any gambling device which the tribes are authorized to utilize

234 on their reservations pursuant to the federal Indian Gaming
235 Regulatory Act; provided no money or other thing of value shall be
236 paid to any person as a result of the operation of such gambling device
237 in the course of such training or testing at locations outside of the
238 reservation of the tribe. Any person receiving such training or testing
239 such device may use any such device in the course of such training or
240 testing. Whenever either of said tribes intends to use and possess at
241 any location within the state any such gambling device for the purpose
242 of testing such device, the tribe shall give prior notice of such testing to
243 the Department of Consumer Protection.

244 [(c) Any casino gaming facility, or its agents, may use and possess at
245 any location within the state, solely for the purpose of training
246 individuals in skills required for employment by the casino gaming
247 facility or testing a gambling device, any gambling device which the
248 casino gaming facility may use for conducting authorized games at the
249 casino gaming facility, provided no money or other thing of value shall
250 be paid to any person as a result of the operation of such gambling
251 device in the course of such training or testing at locations outside of
252 the casino gaming facility. Any person receiving such training or
253 testing such device may use any such device in the course of such
254 training or testing. Whenever a casino gaming facility intends to use
255 and possess at any location within the state any such gambling device
256 for the purpose of testing such device, the casino gambling facility
257 shall give prior notice of such testing to the Department of Consumer
258 Protection.]

259 Sec. 8. Subsection (a) of section 30-37k of the 2018 supplement to the
260 general statutes is repealed and the following is substituted in lieu
261 thereof (*Effective from passage*):

262 (a) As used in this section and subsection (a) of section 30-91: (1)
263 "Casino" means the premises within which a gaming facility is
264 operated with other facilities, including, but not limited to, restaurants,
265 hotels, nightclubs, bingo halls or convention centers; and (2) "gaming
266 facility" means a room or rooms within which class III gaming, as

267 defined in the Indian Gaming Regulatory Act, P.L. 100-497, 25 USC
 268 2701, et seq., [or an authorized game, as defined in section 12-557b,] is
 269 legally conducted.

270 Sec. 9. Sections 12-578a to 12-578j, inclusive, of the general statutes
 271 are repealed. (*Effective from passage*)

272 Sec. 10. Section 17 of public act 17-89 is repealed. (*Effective from*
 273 *passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	12-557b
Sec. 3	<i>from passage</i>	12-561
Sec. 4	<i>from passage</i>	12-562(a)
Sec. 5	<i>from passage</i>	12-563a
Sec. 6	<i>from passage</i>	12-578(a)(2)
Sec. 7	<i>from passage</i>	53-278g
Sec. 8	<i>from passage</i>	30-37k(a)
Sec. 9	<i>from passage</i>	Repealer section
Sec. 10	<i>from passage</i>	Repealer section

Statement of Purpose:

To (1) require the Commissioners of Consumer Protection and Economic and Community Development to develop and issue a request for proposals to qualify a person, business organization or Indian tribe to develop, manage and operate a casino gaming facility in the state, and (2) repeal the authority of MMCT Venture, LLC, to operate a casino gaming facility in the state.

[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.]