



State of Connecticut
Office of Governor Ned Lamont

BILL NOTIFICATION 2023-11

June 29, 2023

Governor Lamont signed the following legislation of the 2023 Regular Session on June 29:

| | |
|---------------------|--|
| SB 805 SA 23-3 | AN ACT CONCERNING THE LABOR DEPARTMENT AND DATA BREACHES. |
| SB 1053 SA 23-17 | AN ACT ESTABLISHING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS CONCERNING THE ELDERLY NUTRITION PROGRAM. |
| SB 917 SA 23-18 | AN ACT ESTABLISHING A WORKING GROUP TO STUDY THE IMPLEMENTATION OF FEDERAL TITLE IX PROTECTIONS FOR ALL MUNICIPAL RECREATION AREAS AND SCHOOL SPORTS FACILITIES. |
| SB 1124 SA 23-19 | AN ACT CONCERNING A STUDY OF PATHWAYS TO STATE EMPLOYMENT. |
| SB 933 SA 23-23 | AN ACT ESTABLISHING A CYBERSECURITY TASK FORCE. |
| HB 6936 SA 23-26 | AN ACT CONVEYING PARCELS OF STATE LAND TO THE NEW HAVEN PORT AUTHORITY. |
| HB 6741 SA 23-29 | AN ACT IMPROVING THE SAFETY OF HEALTH CARE PROVIDERS AND PATIENTS. |
| HB 6877 PA 23-89 | AN ACT CONCERNING RISK PROTECTION ORDERS OR WARRANTS AND DISQUALIFIERS FOR FIREARM PERMITS AND ELIGIBILITY CERTIFICATES BASED ON TEMPORARY COMMITMENT UNDER A PHYSICIAN'S EMERGENCY CERTIFICATION. |
| HB 6767 PA 23-99 | AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING LICENSING AND ENFORCEMENT. |
| SB 7 PA 23-102 | AN ACT STRENGTHENING PROTECTIONS FOR CONNECTICUT'S CONSUMERS OF ENERGY. |

SB 1033
PA 23-126

AN ACT CONCERNING VARIOUS REVISIONS TO THE BANKING STATUTES.

HB 5608
PA 23-163

AN ACT CONCERNING CERTAIN SOLAR PHOTOVOLTAIC FACILITIES LOCATED ON PRIME FARMLAND, FARMLAND OF STATE-WIDE IMPORTANCE OR CORE FOREST LANDS.

HB 6664
PA 23-170

AN ACT CONCERNING THE MANAGEMENT OF SOLID WASTE AND ESTABLISHING THE MIRA DISSOLUTION AUTHORITY.

The governor signed this bill, however he wrote a letter to the members of the General Assembly regarding its content. That letter can be found on page 4 of this document.

HB 6835
PA 23-195

AN ACT CONCERNING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES.

SB 1146
PA 23-196

AN ACT CONCERNING REVISIONS TO VARIOUS PROGRAMS OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.

HB 5641
PA 23-199

AN ACT CONCERNING NOTIFICATION OF UTILITY SERVICE TERMINATIONS AT CERTAIN RENTAL PROPERTIES.

SB 1147
PA 23-202

AN ACT CONCERNING THE ENVIRONMENTAL JUSTICE PROGRAM OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.

HB 6942
PA 23-205

AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE AND CONCERNING CERTAIN GRANT AND FINANCING PROGRAMS, STATE CONSTRUCTION RELATED THRESHOLDS, SCHOOL CONSTRUCTION PROJECTS, THE FAILURE TO FILE FOR CERTAIN GRAND LIST EXEMPTIONS, THE VALIDATION OF CERTAIN ACTIONS TAKEN BY CERTAIN MUNICIPALITIES, CAPITAL CITY PROJECTS, CERTAIN CONSUMER AGREEMENTS, CERTAIN MODIFICATIONS TO MUNICIPAL CHARTERS AND PETITIONS FOR CERTAIN TOWN REFERENDA, ELECTIONS ADMINISTRATION AND CAMPAIGN FINANCE, CERTAIN CASES BEFORE THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES AND OTHER ITEMS IMPLEMENTING THE STATE BUDGET.

SB 896
PA 23-206

AN ACT CONCERNING TREE REMOVAL ON PROPERTIES UNDER THE CONTROL OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.

SB 998
PA 23-207

AN ACT ESTABLISHING A TAX ABATEMENT FOR CERTAIN
CONSERVATION EASEMENTS AND ADDRESSING HOUSING
AFFORDABILITY FOR RESIDENTS IN THE STATE.

Governor Lamont vetoed the following legislation of the 2023 Regular Session on June 29:

HB 6496
PA 23-64

AN ACT CONCERNING TEST BED TECHNOLOGIES.
***The veto message for this bill can be found on page 6 of this
document.***

SB 73
PA 23-108

AN ACT ESTABLISHING LOCAL REPRESENTATION ON THE
CONNECTICUT SITING COUNCIL FOR LOCAL PROJECTS.
***The veto message for this bill can be found on page 8 of this
document.***

SB 1143
PA 23-177

AN ACT CONCERNING SOLID WASTE MANAGEMENT THROUGHOUT
THE STATE.
***The veto message for this bill can be found on page 10 of this
document.***

SB 1213
PA 23-179

AN ACT CONCERNING THE MASHANTUCKET PEQUOT AND MOHEGAN
FUND.
***The veto message for this bill can be found on page 12 of this
document.***

HB 6893
PA 23-181

AN ACT CONCERNING CERTAIN ADJUSTMENTS TO GROSS
ASSESSMENTS OF TAXABLE REAL PROPERTY.
***The veto message for this bill can be found on page 14 of this
document.***

As of this date, 233 bills have been signed and 5 bills have been vetoed from the 2023 Regular Session.



Ned Lamont

GOVERNOR
STATE OF CONNECTICUT

June 29, 2023

Dear Honorable Members of the Connecticut General Assembly:

As is well known, Connecticut is shipping about 860,000 tons of solid waste out of state each year, primarily for disposal in landfills in Pennsylvania and Ohio. This is both environmentally and fiscally irresponsible. The multi-pronged approach I proposed in February would have returned Connecticut to self-sufficiency and significantly reduced, if not eliminated, our reliance on out-of-state landfills to manage our waste.

Instead, House Bill 6664 provides for at best 45,000 tons per year of diversion and no clear path for developing new disposal infrastructure, addressing only 5% of this pressing problem. Further, House Bill 6664 imposes additional costs on consumers by increasing electric rates and by shifting escalating costs for waste disposal to taxpayers.

Two aspects of the legislation are particularly concerning:

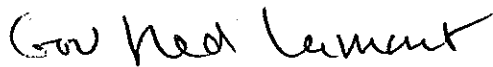
- The bill increases electric rates in order to provide an additional \$5,000,000 per year subsidy for existing trash-to-energy plants with no guarantees that providing those subsidies will extend the life or preserve the capacity of those facilities. Make no mistake: the existing facilities are our partners and are necessary to meet our solid waste management goals. However, I believe it's a mistake to further increase families' electricity bills in order to offset the true costs of our waste management system.
- The bill turns outsized control of the unwinding of the Materials Innovation and Recycling Authority to representatives of one municipality, none of whom are required to have any relevant expertise. The legislation assumes that state taxpayers will fund the significant remediation costs at MIRA sites, even as other municipalities home to former waste or energy infrastructure have been patiently waiting their turn for similar support. I strongly encourage the new board to maintain every penny of the current MIRA reserves to defray remediation costs.

Despite these concerns, recognizing this legislation is the will of the legislature at this time, I will sign House Bill 6664. My administration will work to address the increase in electric rates in other ways and will support this new MIRA board.

Moving forward, I hope we can work collaboratively in the next legislative session to develop a comprehensive solution. One potential approach is to expand the municipal organics diversion

programs that we have funded in recent years, which are achieving substantial results. In towns hosting pilot programs, 27% of food scraps are being diverted, reducing waste disposal by 15%. The state has previously implemented successful extended producer responsibility programs to require producers to manage products such as mattresses and paint, diverting these types of waste from the larger waste stream and providing relief to municipal budgets. The success of those pilots and programs provides a clear path forward to a self-sufficient future where organics and packaging materials are not hauled to out-of-state landfills but instead are responsibly managed in state at a lower cost to residents. We can and must realize that future.

Sincerely,

A handwritten signature in black ink that reads "Gov Ned Lamont". The signature is written in a cursive, slightly slanted style.

Ned Lamont
Governor



Ned Lamont

GOVERNOR
STATE OF CONNECTICUT

June 29, 2023

The Honorable Stephanie Thomas
Secretary of the State
165 Capitol Avenue
Hartford, CT 06106

Dear Madam Secretary:

I hereby return, without my signature, House Bill 6496, *An Act Concerning Test Bed Technologies*.

I fully support the intent of this legislation, which is to reduce operating costs in state government by utilizing new technologies and products. However, this bill would create significant administrative mandates for our state agencies and, more importantly, would undermine our state procurement process and standards. At its core, the proposed legislation undermines the principle of competition, which is the foundation of public procurement, as articulated in CGS 4a-57(a): "all purchases of, and contracts for, supplies, materials, equipment and contractual services... shall be based, when possible, on competitive bids or competitive negotiation."

In 2021, the Connecticut Pilot Test Bed Program was established through Public Act 21-76, *An Act Concerning the Modernization of State Services*, to promote Connecticut based businesses, create jobs, and solve challenges identified by government agencies. Specifically, Section 14 of P.A. 21-76 allows the state to contract with Connecticut-based businesses for innovative technology, processes, or products that can promote government efficiency and reduce burdens. The Office of Policy and Management, the Department of Administrative Services, and Connecticut Innovations are all identified in that statute as partners for the approval and implementation of specific incubator technology. Since its passage, those agencies have been working collaboratively to ensure a fair and balanced approach under the Test Bed Program while maintaining the integrity of our state's procurement process.

House Bill 6496, *An Act Concerning Test Bed Technologies*, would undermine the current successes of the Connecticut Pilot Test Bed Program. Rather than agencies identifying a need to procure innovative products, this legislation reverses this process through a new vendor-driven model. For example, the proposal allows vendors to compel a state agency to review a product that is already in the marketplace or is similar to products already on existing state contracts with public facing price points and contract details. That may result in advantages that allow a vendor to adjust their product or proposal using market-based pricing of current contracts. In addition, the language would apply to currently contracted goods and services, potentially undermining existing contracts and mandating agency heads to review and act on these proposals.

House Bill 6496 further erodes the competitive bidding processes by inappropriately expanding the usage of CGS Section 4a-58(b) and not subjecting the proposed product or service to further competitive bidding. Section 1(g) of the bill states, in relevant part:

(g) If the commissioner of the state agency testing such technology, product or process determines that the test program sufficiently demonstrates that the technology, product or process promotes operational cost reduction, such testing agency may request that the Commissioner of Administrative Services (1) procure such technology for use by any or all state agencies, and (2) make such procurement pursuant to subsection (b) of section 4a-58 of the general statutes.

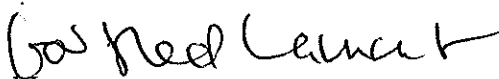
In current practice, CGS 4a-58 is triggered when an agency identifies an emergency because of an “extraordinary condition or contingencies that could not reasonably be foreseen and guarded against” or because of an “unusual trade or market conditions”. The Connecticut Innovations Program established pursuant to Public Act 21-76, involves product development, curated to meet an agency identified need. The process proposed in HB 6496 is not curated to an agency identified need, but rather utilizes products already in production in the marketplace. Thus, a commercially available product identified for operational cost reduction purposes fails to meet the threshold requirements established in CGS 4a-58.

Connecticut Innovations has the statutory power to outline requirements and establish guardrails that must be adhered to by vendors seeking participation in its program. HB 6496, on the other hand, is silent on any effective constraints for evaluating or administering any program.

From an administrative perspective, House Bill 6496 permits a vendor to submit a product to an agency head with a requirement for an initial evaluation within a thirty-day timeframe, and a final evaluation based solely on cost within ninety days. The bill does not limit the number of agencies to which any vendor may submit their proposal. Thus, the same vendor may submit the same proposal to multiple agencies for mandated review in accordance with the identified timeline and criteria creating administrative burdens and duplicative processes for agencies.

For these reasons, I disapprove of House Bill 6496, *An Act Concerning Test Bed Technologies*. Pursuant to Section 15 of Article Fourth of the Constitution of the State of Connecticut, I am returning House Bill 6496 without my signature.

Sincerely,


Ned Lamont
Governor



Ned Lamont
GOVERNOR
STATE OF CONNECTICUT

June 29, 2023

The Honorable Stephanie Thomas
Secretary of State
165 Capitol Avenue
Hartford, CT 06106

Dear Madam Secretary:

I hereby return, without my signature, Senate Bill 73, *An Act Establishing Local Representation on the Connecticut Siting Council for Local Projects*.

The Connecticut Siting Council is a state entity critical to development of telecommunications, electric, gas, and other infrastructure. When an infrastructure project is proposed, the Council balances the needs of residents of local communities and the needs of the residents of the state as a whole. As such, the Council currently has an impartial membership that evaluates applications in a detailed manner and consults relevant stakeholders to determine its benefits and costs.

Senate Bill 73 changes a section of the Siting Council's enabling statute, the Public Utility Environmental Standards Act, to add a member for each proceeding from the municipality in which a facility is proposed to be located. That member would be appointed by the chief executive of the host municipality. This applies to all Siting Council proceedings involving all energy and telecommunications companies.

Under existing law, municipalities have robust opportunities for participation in Siting Council proceedings. Before applying, every applicant must go through a formal municipal consultation process under C.G.S. § 16-50l. Once a proceeding has begun, a host municipality has an absolute right to participate as a party under C.G.S. § 4-177 and § 16-50n. Residents and officials can and do participate in Council proceedings by submitting comments and testifying at public hearings: last year the Siting Council received hundreds of oral and written public comments and conducted 25 public hearings. Public and municipal participation is taken seriously by the Siting Council, leading to changes in applications or conditions on approval that meaningfully mitigate any harm to the public. In many proceedings, municipalities can apply for reimbursement up to \$25,000 for expenses incurred in participating. Ultimately, the municipality can appeal any decision it disagrees with to Superior Court.

The bill would allow municipalities to participate in Council proceedings from both sides: both as a party and through a representative member who may be privy to privileged or otherwise sensitive information. It is inappropriate for a party to a proceeding who may later file an appeal to also appoint a representative to the decision-making body from which the appeal will be taken.

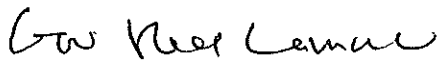
In addition, the Siting Council has indicated that the fiscal impact of the bill is understated, as it is based exclusively on the number of regular meetings held by the Council and does not take into consideration the number of public hearings and other proceedings held by the Council on an annual basis. Public members of the council must be compensated for their attendance at public hearings, executive sessions, or other council business at a rate of \$200 per activity, capped at \$200 a day. The Council's budget is funded by energy and telecommunications industry assessments and invoices. Consequently, compensation of public members is ultimately paid for by electric ratepayers and telecommunications customers and could lead to increased costs for those consumers.

As the global climate crisis continues, the Siting Council plays a key role in considering the benefits to the state and world that climate-positive projects like transmission lines and solar facilities provide. My administration has issued two major executive orders to create an all-of-government approach to addressing climate change. Senate Bill 73 would slow that forward momentum.

The Siting Council was established more than half a century ago to consolidate regulation of energy and telecommunications infrastructure in one statewide body and avoid town-by-town regulation with differing rules and processes. Senate Bill 73 is exactly at odds with that purpose and should not become law.

For these reasons, I disapprove of Senate Bill 73, *An Act Establishing Local Representation on the Connecticut Siting Council for Local Projects*. Pursuant to Section 15 of Article Fourth of the Constitution of the State of Connecticut, I am returning Senate Bill 73 without my signature.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ned Lamont".

Ned Lamont
Governor



Ned Lamont

GOVERNOR
STATE OF CONNECTICUT

June 29, 2023

The Honorable Stephanie Thomas
Secretary of State
165 Capitol Avenue
Hartford, CT 06106

Dear Madam Secretary:

I hereby return, without my signature, Senate Bill 1143, *An Act Concerning Solid Waste Management Throughout the State*.

Senate Bill 1143 requires the Department of Energy and Environmental Protection (“DEEP” or “Department”) to conduct a request for information (“RFI”) regarding infrastructure for solid waste disposal – that is, discarded material that is meant to be burned in a waste-to-energy facility or buried in a landfill as opposed to recycled or otherwise diverted.

While well intentioned, DEEP has already completed an RFI earlier in 2023 for materials management infrastructure broadly, and many of the responses were from developers of solid waste disposal technologies, including gasification technologies. The responses can be viewed on [DEEP’s website](#). Running another similar but more limited RFI would at best be both duplicative for the Department and confusing for the private sector.

Furthermore, I signed into law Public Act 23-170, which contains two sections that are nearly identical to two sections contained in Public Act 23-177. However, each section contains a minor difference that would make implementation of the sections in both Acts contradictory. Section 1 of Public Act 23-177 regards legislative approval of the statewide solid waste management plan. That is identical to Section 17 of Public Act 23-170, except for one sentence. 23-170 contains a provision that states that if the Environment Committee does not meet to approve the statewide solid waste management plan, then the plan is approved. Public Act 23-177 contains no such provision. Next, Section 3 of Public Act 23-177 mirrors Section 18 of Public Act 23-170, again except for one sentence. In this case, 23-177 states that the RFI shall not seek information on technologies that provide for incineration, combustion, or landfilling of solid waste; 23-170 contains no such language.

Page 2

For these reasons, I disapprove of Senate Bill 1143, *An Act Concerning Solid Waste Management Throughout the State*. Pursuant to Section 15 of Article Fourth of the Constitution of the State of Connecticut, I am returning Senate Bill 1213 without my signature.

Sincerely,

A handwritten signature in black ink that reads "Ned Lamont". The signature is written in a cursive style with a long horizontal stroke at the end.

Ned Lamont
Governor



Ned Lamont

GOVERNOR
STATE OF CONNECTICUT

June 29, 2023

The Honorable Stephanie Thomas
Secretary of State
165 Capitol Avenue
Hartford, CT 06106

Dear Madam Secretary:

I hereby return, without my signature, Senate Bill 1213, *An Act Concerning the Mashantucket Pequot and Mohegan Fund*.

This bill would require, beginning in fiscal year 2026, that the state increase the Mashantucket Pequot and Mohegan grant to towns from \$52.6 million to \$139.38 million annually unless the Governor certifies an emergency requiring a reduction in such funding and the General Assembly approves such reduction by a two-thirds vote.

Over the past 5 years, we have increased general government aid by 60%. In the budget that I just signed, we increased PILOT funding by an additional \$19 million. In addition, other forms of significant state aid have also been enacted or funded to the benefit of our cities and towns. These include the five-year \$875 million Community Investment Fund, Urban Act funding, Local Capital Improvement funding, Town Aid Road, and the Small Town Economic Assistance Program. Also, just this session, we increased education funding by \$150 million over the current phase-in of the Education Cost Sharing formula. In short, the state has consistently provided a robust and extensive array of funding for local priorities – and, under my administration, we will continue to do so.

Our state adopted the biennial budget process as part of the reforms enacted during the consequential 1991 legislative session to ensure that adequate revenue would be available to fund important, ongoing state programs. This legislation seeks to operate outside that biennial process to prioritize a singular grant program without a complete understanding of the out-year budgetary implications.

More problematic, however, is the provision of the bill that constrains legislative and executive power with respect to the budget process by limiting the ability of the Governor and the General Assembly to reduce the annual transfer from the General Fund to the Mashantucket Pequot and Mohegan Fund except pursuant to a declaration of an emergency by the Governor and a two thirds affirmative vote by the General Assembly. State budgeting responsibilities in Connecticut are

carried out primarily by the Governor and the Legislature and, given the major fiscal reforms enacted in 1991 and the constitutional requirement for a balanced state budget, both the Governor and the Legislature must have flexibility when developing the budget.

I appreciate the effort to provide predictability in funding predictability to municipalities, thereby assisting cities and towns with the delivery of municipal services. However, that should be done in the context of a broader discussion regarding municipal aid and the provision of municipal services.

For these reasons, I disapprove of Senate Bill 1213, *An Act Concerning the Mashantucket Pequot and Mohegan Fund*. Pursuant to Section 15 of Article Fourth of the Constitution of the State of Connecticut, I am returning Senate Bill 1213 without my signature.

Sincerely,

A handwritten signature in black ink that reads "Gov Ned Lamont". The signature is written in a cursive, flowing style.

Ned Lamont
Governor



Ned Lamont

GOVERNOR
STATE OF CONNECTICUT

June 29, 2023

The Honorable Stephanie Thomas
Secretary of State
165 Capitol Avenue
Hartford, CT 06106

Dear Madam Secretary:

I hereby return, without my signature, House Bill 6893, *An Act Concerning Certain Adjustments to Gross Assessments of Taxable Real Property*.

This bill would significantly limit the ability of a professional municipal tax assessor (“assessors”) to adjust tax assessments following a change in the gross assessment by a board of assessment appeals (“board”). Currently, assessors may adjust the assessed value of taxable property each year to ensure that comparable property is assessed equitably so that similarly situated taxpayers are treated fairly. This bill would expressly restrict the ability of a tax assessor to reassess property until the next valuation, except under very narrow circumstances. If a board unreasonably, or incorrectly, reduces or increases an assessment, that assessment cannot be corrected until the next valuation. This changes the role of the board from that of a mediator to that of the final decision-maker for assessments between revaluation years. This represents a significant change in dynamic.

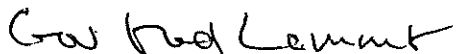
More problematic, however, is the fact that this sweeping change of dynamic between the assessors and boards is aimed at resolving a local, seemingly singular, dispute. Legislation of this kind should not be used to resolve a local dispute, where the effects will be wide-ranging and disruptive to the rest of our municipalities. Municipal executives search out professional assessors across the state so that they can rely on their expertise to ensure their grand list is accurate and their constituents are taxed fairly. While this bill may resolve one dispute, in one municipality, it is not evident that the majority of our municipalities would benefit from this change in dynamic.

If there is support for this change, I welcome the General Assembly to work with all stakeholders find a bill for the next session that may benefit our communities more broadly and is not so focused on resolving a single local dispute.

Page 2

For these reasons, I disapprove of House Bill 6893, *An Act Concerning Certain Adjustments to Gross Assessments of Taxable Real Property*. Pursuant to Section 15 of Article Fourth of the Constitution of the State of Connecticut, I am returning House Bill 6893 without my signature.

Sincerely,

A handwritten signature in black ink that reads "Gov Ned Lamont". The signature is written in a cursive, slightly slanted style.

Ned Lamont
Governor