GOVERNOR’S OFFICE  
June 15, 2012

BILL NOTIFICATION
RELEASE No. 11  
For Immediate Release

Governor Dannel P. Malloy signed the following legislation of the 2012 Session on June 15th:

SA 12-3  
AN ACT CONCERNING TEACHER PREPARATION  
SB 384  
This bill shall take effect July 1, 2012.

SA 12-4  
AN ACT MAKING REVISIONS TO THE SACHEM’S HEAD

SB 138  
ASSOCIATION CHARTER  
This bill became effective upon receiving the Governor’s signature.

SA 12-5  
AN ACT ESTABLISHING A TASK FORCE TO ENCOURAGE

SB 254  
THE PURCHASE OF FOOD PRODUCTS GROWN OR MADE IN

HB 5326  
CONNECTICUT  
This bill became effective upon receiving the Governor’s signature.

SA 12-6  
AN ACT ESTABLISHING A TASK FORCE TO STUDY "AGING

SB 138  
IN PLACE"  
This bill became effective upon receiving the Governor’s signature.

SA 12-7  
AN ACT CONCERNING SOURCES OF REVENUE FOR THE

SB 254  
REMEDIATION OF THE RAYMARK SUPERFUND SITE  
This bill shall take effect October 1, 2012.

SA 12-8  
AN ACT CONCERNING THE CREATION AND EXPANSION

HB 5543  
OF MUNICIPAL ELECTRIC UTILITIES  
This bill became effective upon receiving the Governor’s signature.

SA 12-9  
AN ACT CONCERNING WORKFORCE DEVELOPMENT

SB 41  
This bill shall take effect July 1, 2012.
PA 12-118  
SB 232  
AN ACT CONCERNING A MORATORIUM ON CERTAIN LONG-TERM CARE BEDS  
This bill became effective upon receiving the Governor’s signature.

PA 12-119  
SB 234  
AN ACT CONCERNING CERTAIN SOCIAL SERVICES PROGRAMS  
This bill has various effective dates. Refer to text of bill.

PA 12-120  
SB 299  
AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES  
This bill has various effective dates. Refer to text of bill.

PA 12-121  
HB 5462  
AN ACT CONCERNING DEADLINES FOR PROGRAM PARTICIPATION AND REINSTATEMENT OF A MOTOR VEHICLE OPERATOR’S LICENSE UNDER THE ALCOHOL AND DRUG ADDICTION TREATMENT PROGRAM  
This bill became effective upon receiving the Governor’s signature.

PA 12-122  
HB 5087  
AN ACT REQUIRING THE COMMISSIONER OF CONSUMER PROTECTION TO MAKE CHANGES TO THE RESIDENTIAL PROPERTY CONDITION DISCLOSURE REPORT  
This bill shall take effect July 1, 2012.

PA 12-123  
HB 5143  
AN ACT CONCERNING INSURANCE COVERAGE FOR PERISHABLE FOOD DONATED BY CERTAIN FOOD ESTABLISHMENTS  
This bill shall take effect October 1, 2012.

PA 12-124  
HB 5148  
AN ACT CONCERNING COMMUNICATIONS TO VICTIMS OF THE CRIMINAL OPERATION OF A MOTOR VEHICLE THAT RESULTS IN DEATH OR SERIOUS PHYSICAL INJURY  
This bill shall take effect October 1, 2012.

PA 12-125  
HB 5232  
AN ACT CONCERNING HEARINGS BEFORE THE ADMINISTRATOR AND THE EMPLOYMENT SECURITY APPEALS DIVISION UNDER THE UNEMPLOYMENT COMPENSATION ACT  
This bill shall take effect October 1, 2012.

PA 12-126  
HB 5233  
AN ACT CONCERNING WORKERS’ COMPENSATION FOR FIREFIGHTERS  
This bill became effective upon receiving the Governor’s signature and is applicable to any claim filed after said date.
PA 12-127
AN ACT PERMITTING THE POSSESSION OF REINDEER
YEAR ROUND
This bill became effective upon receiving the Governor’s signature.

PA 12-128
AN ACT CONCERNING THE CAPITOL SCHOLARSHIP
GRANT PROGRAM
This bill became effective upon receiving the Governor’s signature.

PA 12-129
AN ACT CONCERNING PUBLIC INSTITUTIONS OF HIGHER
EDUCATION
This bill shall take effect July 1, 2012.

PA 12-130
AN ACT WAIVING ADVANCE PAYMENT RESTRICTIONS
FOR CERTAIN NURSING FACILITIES
This bill became effective upon receiving the Governor’s signature.

PA 12-131
AN ACT ESTABLISHING A FINE ART SECURED LENDING
LICENSE
This bill shall take effect October 1, 2012.

PA 12-132
AN ACT STREAMLINING TRAFFIC SAFETY EVALUATIONS
This bill has various effective dates. Refer to text of bill.

PA 12-133
AN ACT CONCERNING COURT OPERATIONS AND VICTIM
SERVICES
This bill has various effective dates. Refer to text of bill.

PA 12-134
AN ACT CONCERNING THE MAXIMUM SURCHARGE FOR
ENHANCED 9-1-1 SERVICE
This bill became effective upon receiving the Governor’s signature.

PA 12-135
AN ACT CONCERNING "ZAPPERS"
This bill shall take effect July 1, 2012.

PA 12-136
AN ACT CONCERNING THE DEFINITIONS OF MENTAL
RETARDATION AND INTELLECTUAL DISABILITY
This bill shall take effect October 1, 2012.

PA 12-137
AN ACT CONCERNING VISITATION RIGHTS FOR
GRANDPARENTS AND OTHER PERSONS
This bill shall take effect October 1, 2012.
PA 12-138
HB 5467
AN ACT CREATING A WORKFORCE TO MAKE IMPROVEMENTS AROUND CONNECTICUT'S PUBLIC AIRPORTS
This bill shall take effect July 1, 2012.

PA 12-140
HB 5499
AN ACT CONCERNING REGULATIONS RELATING TO HOSPICE CARE
This bill became effective upon receiving the Governor’s signature.

PA 12-141
HB 5504
AN ACT CONCERNING COMMERCIAL SEXUAL EXPLOITATION OF A MINOR
This bill shall take effect October 1, 2012.

PA 12-142
HB 5545
AN ACT CONCERNING FINANCIAL LIABILITY FOR AMBULANCE SERVICES, EVIDENCE OF COLLATERAL SOURCE PAYMENTS AND EVIDENCE OF BILLS FROM TREATING HEALTHCARE PROVIDERS
This bill shall take effect October 1, 2012. Sections 2 & 3 are applicable to all actions pending on or filed on or after said date.

PA 12-143
HB 5496
AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE REQUIRING COMMITTEES OF COGNIZANCE TO CONDUCT REVIEWS UNDER THE SUNSET LAW
This bill shall take effect July 1, 2012.

PA 12-144
HB 5500
AN ACT CONCERNING AN ADJUSTMENT TO CERTAIN DATES RELATING TO THE FINANCING OF STEEL POINT IN BRIDGEPORT
This bill became effective upon receiving the Governor’s signature.

PA 12-145
HB 5011
AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS’ RECOMMENDATIONS FOR TECHNICAL AND MINOR CHANGES TO THE INSURANCE STATUTES
This bill has various effective dates. Refer to text of bill.

PA 12-146
HB 5319
AN ACT CONCERNING PERSONS AGGRIEVED BY DECISIONS OF MUNICIPAL LAND USE BOARDS AND THE PENALTIES FOR VIOLATING MUNICIPAL BLIGHT ORDINANCES
This bill shall take effect October 1, 2012.

PA 12-147
SB 22
AN ACT CONCERNING THE CAPITAL REGION DEVELOPMENT AUTHORITY
This bill became effective upon receiving the Governor’s signature.
PA 12-148  AN ACT ENHANCING EMERGENCY PREPAREDNESS AND
SB 23  RESPONSE
This bill has various effective dates. Refer to text of bill.

PA 12-149  AN ACT CONCERNING THE CONNECTICUT HEALTH AND
SB 29  EDUCATIONAL FACILITIES AUTHORITY
This bill shall take effect July 1, 2012.

PA 12-150  AN ACT CONCERNING GUIDELINES FOR HEALTH INSURANCE
SB 97  COVERAGE FOR BREAST MAGNETIC RESONANCE IMAGING
This bill became effective upon receiving the Governor’s signature.

PA 12-151  AN ACT CONCERNING THE TIME IN WHICH A REGULATED
SB 345  ACTIVITY MUST BE CONDUCTED UNDER A PERMIT ISSUED BY
AN INLAND WETLANDS COMMISSION
This bill shall take effect October 1, 2012.

PA 12-152  AN ACT CONCERNING THE STATE'S OPEN SPACE PLAN
SB 347  This bill shall take effect October 1, 2012.

PA 12-153  AN ACT CONCERNING THE ENHANCED EMERGENCY 9-1-1
SB 354  PROGRAM
This bill shall take effect January 1, 2013.

PA 12-154  AN ACT CONCERNING MANUFACTURING AND MECHANICAL
SB 383  INTERNSHIPS
This bill shall take effect July 1, 2012.

PA 12-155  AN ACT CONCERNING PHOSPHOROUS REDUCTION IN STATE
SB 440  WATERS
This bill has various effective dates. Refer to text of bill.

PA 12-156  AN ACT CONCERNING REVISIONS TO THE HIGHER EDUCATION
HB 5032  STATUTES
This bill became effective upon receiving the Governor’s signature.

PA 12-157  AN ACT CONCERNING PROPERTY TAX ASSESSMENTS BY
HB 5035  MUNICIPALITIES
This bill shall take effect October 1, 2012, and is applicable to
assessment years commencing on or after said date.
PA 12-158
HB 5037
AN ACT IMPLEMENTING THE GOVERNOR’S BUDGET
RECOMMENDATIONS CONCERNING PUBLIC HEALTH
This bill became effective upon receiving the Governor’s signature.

PA 12-159
HB 5063
AN ACT CONCERNING TREATMENT FOR A DRUG OVERDOSE
This bill shall take effect October 1, 2012.

PA 12-160
HB 5095
AN ACT CONCERNING OFF-TRACK BETTING BRANCH
FACILITIES
This bill shall take effect October 1, 2012.

PA 12-161
HB 5106
AN ACT CONCERNING THE PRIVATE RENTAL INVESTMENT
MORTGAGE AND EQUITY PROGRAM
This bill has various effective dates. Refer to text of bill.

PA 12-162
HB 5230
AN ACT CONCERNING VARIOUS CHANGES TO PROPERTY AND
CASUALTY INSURANCE STATUTES
This bill has various effective dates. Refer to text of bill.

PA 12-163
HB 5241
AN ACT CONCERNING DELAYED BIRTH REGISTRATION
This bill shall take effect October 1, 2012.

PA 12-165
HB 5271
AN ACT CONCERNING THE SITING COUNCIL
This bill has various effective dates. Refer to text of bill.

PA 12-166
HB 5038
AN ACT IMPLEMENTING THE GOVERNOR’S BUDGET
RECOMMENDATIONS CONCERNING AN ALL-PAYER CLAIMS
DATABASE PROGRAM
This bill became effective upon receiving the Governor’s signature.

PA 12-167
HB 5259
AN ACT REQUIRING THE INSPECTION OF VESSELS AND
VESSEL TRAILERS FOR AQUATIC INVASIVE SPECIES
This bill shall take effect July 1, 2012.

PA 12-168
HB 5290
AN ACT CONCERNING THE LEASING OF JUDICIAL BRANCH
FACILITIES
This bill shall take effect July 1, 2012.

PA 12-169
HB 5307
AN ACT CONCERNING REGISTERED INTERIOR DESIGNERS
This bill shall take effect July 1, 2012.
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<td>PA 12-171</td>
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<td>AN ACT CONCERNING STREAMLINING THE STATE'S STORMWATER GENERAL PERMITTING PROCESS</td>
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<td>PA 12-177</td>
<td>AN ACT PROVIDING FEDERAL PROBATION OFFICERS WITH ACCESS TO FIREARM DATA REGARDING PROBATIONERS</td>
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<td>PA 12-178</td>
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<td>PA 12-179</td>
<td>AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND CONCERNING CHANGES TO THE STATUTES CONCERNING SCHOOL BUILDING PROJECTS</td>
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<td>HB 5358</td>
<td>This bill became effective upon receiving the Governor’s signature.</td>
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<td>PA 12-182</td>
<td>AN ACT CONCERNING BONDS AND OTHER SURETY FOR APPROVED SITE PLANS AND SUBDIVISIONS</td>
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<td>HB 5320</td>
<td>This bill became effective upon receiving the Governor’s signature. Sections 1 &amp; 2 are applicable to all approvals or extensions granted after said date.</td>
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PA 12-183
AN ACT CONCERNING REVISIONS TO THE STATE'S BROWNFIELD REMEDIATION AND DEVELOPMENT STATUTES
This bill has various effective dates. Refer to text of bill.

PA 12-184
AN ACT CONCERNING SMOKE AND CARBON MONOXIDE DETECTORS AND ALARMS IN RESIDENTIAL DWELLINGS
This bill shall take effect October 1, 2012.

PA 12-185
AN ACT CONCERNING THE USE OF AN ELECTRONIC DELIVERY SERVICE UNDER THE CONNECTICUT UNIFORM ELECTRONIC TRANSACTIONS ACT AND DEFINING ELECTRONIC MAIL
This bill shall take effect October 1, 2012.

PA 12-186
AN ACT CONCERNING ROBBERY COMMITTED AT A BANK OR CREDIT UNION
This bill shall take effect October 1, 2012.

PA 12-187
AN ACT CONCERNING RECORDING FEES
This bill shall take effect October 1, 2012.

PA 12-188
AN ACT CONCERNING THE DISPOSAL OF SOLID WASTE AT OUT-OF-STATE LAND DISPOSAL FACILITIES
This bill became effective upon receiving the Governor’s signature.

PA 12-189
AN ACT AUTHORIZING AND ADJUSTING BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS, TRANSPORTATION AND OTHER PURPOSES
This bill has various effective dates. Refer to text of bill.

PA 12-190
AN ACT CONCERNING DEDUCTIBLES FOR SCREENING COLONOSCOPIES AND SCREENING SIGMOIDOSCOPIES
This bill shall take effect January 1, 2013.

PA 12-191
AN ACT CONCERNING THE RECORDING OF PISTOL AND REVOLVER SALES IN A BOUND BOOK
This bill shall take effect October 1, 2012.

PA 12-192
AN ACT CONCERNING THE SHARING OF INFORMATION BETWEEN THE LABOR DEPARTMENT AND THE BOARD OF REGENTS FOR HIGHER EDUCATION
This bill shall take effect July 1, 2012.
AN ACT INCREASING PENALTIES FOR VOTER INTIMIDATION AND INTERFERENCE AND CONCERNING VOTING BY ABSENTEE BALLOT
This bill has various effective dates. Refer to text of bill.

AN ACT CONCERNING THE OWNERSHIP OF PUBLIC ACCOUNTING FIRMS AND THE USE OF THE TITLE "CERTIFIED PUBLIC ACCOUNTANT"
This bill shall take effect July 1, 2012.

AN ACT CONCERNING FUNDRAISING BY VETERANS' ORGANIZATIONS
This bill has various effective dates. Refer to text of bill.

AN ACT CONCERNING ECONOMIC DEVELOPMENT THROUGH STREAMLINED AND IMPROVED BROWNFIELD REMEDIATION PROGRAMS, EXEMPTING CERTAIN AIRPORT CONVEYANCES FROM THE DEPARTMENT OF TRANSPORTATION TO THE CONNECTICUT AIRPORT AUTHORITY FROM THE HAZARDOUS WASTE ESTABLISHMENT TRANSFER ACT, AND HOLDING HARMLESS AND INDEMNIFYING THE CONNECTICUT AIRPORT AUTHORITY AND ITS EMPLOYEES AND DIRECTORS
This bill has various effective dates. Refer to text of bill.

AN ACT CONCERNING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES
This bill has various effective dates. Refer to text of bill.

AN ACT CONCERNING THE ADMINISTRATION OF MEDICINE TO STUDENTS WITH DIABETES, THE DUTIES OF SCHOOL MEDICAL ADVISORS, THE AVAILABILITY OF CPR AND AED TRAINING MATERIALS FOR BOARDS OF EDUCATION AND PHYSICAL EXERCISE DURING THE SCHOOL DAY
This bill has various effective dates. Refer to text of bill.

AN ACT PROHIBITING CERTAIN PERSONS FROM ALLOWING MINORS TO POSSESS ALCOHOLIC LIQUOR IN DWELLING UNITS AND ON PRIVATE PROPERTY
This bill shall take effect October 1, 2012.

AN ACT CONCERNING A STATE MILITARY ACCOUNT FOR MORALE, WELFARE AND RECREATION PROGRAMS
This bill shall take effect July 1, 2012.
PA 12-201  AN ACT REVISING THE DEFINITION OF A CHILD CARE FACILITY TO CONFORM WITH THE DEFINITION OF A CHILD
SB 157  This bill shall take effect October 1, 2012.

PA 12-202  AN ACT CONCERNING FINANCIAL ASSISTANCE TO LOCAL HEALTH DEPARTMENTS FOR LEAD POISONING PREVENTION
SB 188  This bill shall take effect October 1, 2012.

PA 12-203  AN ACT CONCERNING THE MACBRIDE PRINCIPLES
SB 285  This bill shall take effect July 1, 2012.

PA 12-204  AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS’ RECOMMENDATIONS FOR TECHNICAL AND MINOR CORRECTIONS TO THE PUBLIC SAFETY STATUTES
SB 335  This bill shall take effect July 1, 2012.

PA 12-205  AN ACT REVISING STATUTES CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES
SB 339  This bill shall take effect July 1, 2012.

PA 12-206  AN ACT CONCERNING THE USE BY STATE EMPLOYEES OF SERVICES PROVIDED BY CONNECTICUT TECHNICAL HIGH SCHOOL SYSTEM STUDENTS
SB 340  This bill shall take effect July 1, 2012.

PA 12-207  AN ACT CONCERNING THE ADMINISTRATION OF INJECTABLE VACCINES TO ADULTS IN PHARMACIES
SB 371  This bill shall take effect October 1, 2012.

PA 12-208  AN ACT EXPANDING ACCESS BY VETERANS TO PUBLIC ASSISTANCE PROGRAMS
SB 391  This bill shall take effect July 1, 2012.

Governor Dannel P. Malloy signed the following legislation of the 2012 June Special Session, IN THE ORIGINAL, on June 15th:

SB 501  AN ACT IMPLEMENTING CERTAIN PROVISIONS CONCERNING GOVERNMENT ADMINISTRATION
This bill has various effective dates. Refer to text of bill.
HB 6001  AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012
This bill has various effective dates. Refer to text of bill.

Governor Dannel P. Malloy vetoed the following legislation of the 2012 Session on June 15th:

PA 12-117  AN ACT CONCERNING CHANGES TO CAMPAIGN FINANCE LAWS AND OTHER ELECTION LAWS
This bill would have become effective upon receiving the Governor’s signature. The Governor vetoed the bill. Scroll down to read the veto message.

PA 12-164  AN ACT CONCERNING FOAMED-IN-PLACE INSULATING MATERIAL
This bill would have become effective upon receiving the Governor’s signature. The Governor vetoed the bill. Scroll down to read the veto message.

PA 12-175  AN ACT CONCERNING THE APPLICABILITY OF THE SALES AND USE TAX TO VESSEL STORAGE, MAINTENANCE OR REPAIR
This bill would have become effective upon receiving the Governor’s signature. The Governor vetoed the bill. Scroll down to read the veto message.

PA 12-180  AN ACT CONCERNING THE BUDGET, SPECIAL ASSESSMENT AND ASSIGNMENT OF FUTURE INCOME APPROVAL PROCESS IN COMMON INTEREST OWNERSHIP COMMUNITIES
This bill shall take effect July 1, 2012. The Governor vetoed the bill. Scroll down to read the veto message.

PA 12-181  AN ACT CONCERNING THE TRAINING AND AUTHORITY OF CERTAIN CONSTABLES APPOINTED FOR FISH AND GAME PROTECTION
This bill shall take effect October 1, 2012. The Governor vetoed the bill. Scroll down to read the veto message.

As of this date, the Governor has signed two hundred and nine (209) bills, and vetoed eight (8) bills, of the 2012 Legislative Session. The Governor has signed two (2) bills of the June 2012 Special Session.
June 15, 2012

The Honorable Denise Merrill
Secretary of the State
30 Trinity Street
Hartford, CT 06106

Dear Madam Secretary:

I hereby return, without my signature, emergency certified House Bill 5556, An Act Concerning Changes to Campaign Finance Laws and Other Election Laws. This bill is an attempt to strengthen our state’s campaign finance laws, particularly in light of the United States Supreme Court’s decision in Citizens’ United v. Federal Election Commission. Upon close examination, however, I find that some portions of this bill likely violate the United States Constitution, while other provisions represent poor public policy choices. While I have advocated for transparency in the elections and campaign finance process for a long time, and could certainly support sensible reform in this area again, I cannot support the bill before me given its many legal and practical problems.

First, let me take this opportunity to state in a formal way that which I have articulated many times in informal settings: I do not agree with the decision handed down by the U.S. Supreme Court in the Citizens’ United decision. Rather, I agree with the statements made by President Obama in his 200 State of the Union speech criticizing Citizens’ United for its potential to “open the floodgates for special interests — including foreign corporations — to spend without limit in our elections.” My opposition to House Bill 5556, therefore, should not be interpreted as an endorsement of the Citizens’ United decision or the notion that corporations enjoy the same free speech rights as individuals. Nevertheless, this bill contains a number of fundamental flaws — far divorced from the free speech issues decided by the court in Citizens’ United — that cause me to oppose it.

House Bill 5556 would have a chilling effect on issue advocacy and neutral debates about matters of public concern that should be the hallmark of our democracy. Section 4 defines an “independent expenditure” so broadly that it would encompass virtually any communication, with reference to a public official who is also a candidate for office, made within 90 days of a general election or primary for the purpose of influencing any legislative or administrative action. In other words, issue advocacy — not just communication expressly advocating for the nomination, election or defeat of a clearly identified candidate, or the passage or defeat of a ballot issue — is considered an “independent expenditure” subject to the disclosure provisions of the bill. This definition would include such activity as advertisements, printed materials or other communication expressing views on matters pending before the General Assembly and would even include interviews with candidates or debates...
among them using the resources of media outlets. This type of communication is clearly distinct from campaign-related advertisements urging voters to vote for or against a particular candidate. Section 9 then requires any entity making an independent expenditure – as that term is broadly defined – to identify its top five donors in the communication and to list on the entity’s website the names of all donors subject to disclosure. The net effect of this system would be to require non-profit advocacy groups or even news organizations to identify the names of individual donors if they engage in issue advocacy or any other communication “for the purpose of influencing any legislative or administrative action” within 90 days of a general election or primary.

The provisions of this bill fail to distinguish wholly innocuous and encouraged civic activity from the activity this bill should have focused on, producing an effect that extends well beyond promoting campaign finance transparency. At its core, our democratic form of government hinges on the free flow of information, advocacy and argument on matters of public concern, regardless of what view an individual or business entity takes on a particular matter. Citizens have the right to associate themselves with groups that advocate causes in which they believe and to hear the views of candidates in neutral and open forums. Requiring such groups to identify individual donors will dissuade people from supporting those groups or organizations from providing this public service and will reduce the free flow of information and debate on which our democracy thrives.

Further, as articulated to me by the ACLU of Connecticut, this framework is likely unconstitutional under the United States Supreme Court decision in NAACP v. Alabama (1958). That case struck down a requirement that the NAACP identify its individual donors. The court held that such a requirement constituted “a substantial restraint upon the exercise by (the NAACP’s) members of their right to freedom of association.” Therefore, I agree with the ACLU that the NAACP v. Alabama decision strongly suggests that “[f]reedom of association is . . . at stake” if this framework becomes law. Whether an individual wishes to associate with an organization – whether it is the ACLU or the NRA – the First Amendment protects the right to do so anonymously. That has been the law for more than 50 years, but this bill would seriously undermine, if not obviate, that right.

I also object to Section 10 of this bill, which would require the governing board of “any entity incorporated, organized or operating in this state” to authorize any campaign-related disbursement of over $4,000. It would also mandate the public disclosure of the individual votes of the board’s members on the entity’s website and with a filing with the State Elections Enforcement Commission. As the corporate law section of the Connecticut Bar Association has pointed out, this provision almost certainly violates the commerce clause of the United States Constitution and imposes an unnecessary burden on businesses operating within this state. The scope of this section is alarmingly broad. As written, it would even apply to a business incorporated outside of Connecticut making a campaign-related disbursement involving an election in another state. The CBA points out that, “[t]he Supreme Court’s recent Commerce Clause cases have held that the internal affairs of a corporation . . . may only be regulated by the state in which the corporation is incorporated, because a corporation could otherwise be faced with a multiplicity of conflicting requirements and procedures.” I agree with the CBA’s interpretation. The commerce clause is a fundamental dividing line, limiting a state’s power to create legislation burdening or interfering with commerce between and among the states. Moreover, after extensive research, my administration has not been able to locate any federal securities law or other state law that would compel the public disclosure of the votes cast by individual members of corporate or non-profit boards of directors, regardless of whether it is a public or private corporation. I cannot support a law that would attempt to extend the reach of Connecticut’s authority into other states, just as I would not tolerate any other state’s attempts to interfere with the authority of Connecticut.
HB 5556 also contains a provision allowing deployed service members to return an absentee ballot by email or fax if the service member waives his or her constitutional right to a secret ballot. I agree with Secretary of the State Denise Merrill that this provision raises a number of serious concerns. First, as a matter of policy, I do not support any mechanism of voting that would require an individual to waive his or her constitutional rights in order to cast a timely, secret ballot, even if such waiver is voluntary. Second, as the Secretary of the State has pointed out, allowing an individual to email or fax an absentee ballot has not been proven to be secure. In 2011, the United States Department of Commerce, National Institute of Standards and Technology, issued a report on remote electronic voting. The report concluded that remote electronic voting is fraught with problems associated with software bugs and potential attacks through malicious software, difficulties with voter authentication, and lack of protocol for ballot accountability. None of these issues are addressed in this bill. To be clear, I am not opposed to the use of technology to make the voting process easier and more accessible to our citizens. However, I believe that these legitimate problems have to be carefully studied and considered before enacting such a provision.

Finally, it has been suggested that a plausible course of action would be to allow this bill to become law and let the courts opine on the constitutional issues cited above, and possibly others. I reject that notion. Whenever the constitutionality of a state statute is questioned, it is incumbent on our Attorney General to defend its validity. Because I am convinced that several of the provisions of this bill are most likely unconstitutional, I will not oblige the Attorney General to engage in this fruitless exercise and I will not subject the people of Connecticut to a tremendous waste of government resources. Moreover, I have a constitutional duty to “support the constitution of the United States, and the constitution of the state of Connecticut...” When I think, as I do, that the General Assembly has presented me with a bill that will not pass the rigors of constitutional scrutiny, I believe that I am obligated to veto it. Regrettably, these constitutional issues – in addition to the policy and other technical and structural problems with this bill – militate against signing it into law.

For these reasons, I disapprove of emergency certified House Bill 5556, Act Concerning Changes to Campaign Finance Laws and Other Election Laws. Pursuant to Section 15 of Article Fourth of the Constitution of the State of Connecticut, I am returning emergency certified House Bill 5556 without my signature.

Sincerely,

Dannel P. Malloy
Governor
June 15, 2012

The Honorable Denise Merrill  
Secretary of the State  
30 Trinity Street  
Hartford, CT 06106

Dear Madam Secretary:

I hereby return, without my signature, House Bill 5248, An Act Concerning Foamed-In-Place Insulating Material. This bill allows for the use of formaldehyde-based insulating materials currently banned under state law. Formaldehyde is emitted by a number of products that can be found in the home, including building materials, cigarettes, stoves, heaters, furniture and clothing. While the level of emissions from some products may be safe, in the aggregate, the formaldehyde emissions in a home can reach levels that have a negative effect on human health. Long known health consequences of exposure to unsafe levels of formaldehyde include asthma attacks; eye, nose and throat irritation; wheezing and coughing; fatigue, skin rash, and severe allergic reactions. In 2011, the National Institutes of Health also recognized formaldehyde as a known carcinogen.

Connecticut made a decision in 1981 to ban the use of urea formaldehyde foam insulation (UFFI) because the level of formaldehyde emissions produced by these products was considered significant and a risk to human health. These products were banned across the country and some states went so far as to require the removal of this type of insulation. Since that time, new foamed-in-place insulating products that contain formaldehyde have come onto the market claiming to produce fewer formaldehyde emissions. If such products are going to be allowed for use in Connecticut, it should only be after satisfying the most stringent testing methods in order to protect the health of our residents, which this bill fails to require.

House Bill 5248 does require any foamed-in-place insulating material to be certified as having met satisfactory emissions standards before it can be used in Connecticut. Unfortunately, this requirement is both inadequate and overly broad. The testing methods listed in the bill to ensure that such products satisfy safe emissions standards are not the most stringent in the industry. And the immediate application of this requirement to non-formaldehyde based products will cause delay on construction projects currently underway across the state.
Requiring all foamed-in-place insulating materials, and any other building materials used in homes and businesses, to meet adequate emissions standards is laudable and should be considered through a publicly open process. But allowing products that contain a known safety hazard onto the market without being subject to the most stringent testing methods in order to ensure the safety of Connecticut residents is a risk I cannot support.

For these reasons, I disapprove of House Bill 5248, An Act Concerning Foamed-In-Place Insulating Material. Pursuant to Section 15 of Article Fourth of the Constitution of the State of Connecticut, I am returning House Bill 5248 without my signature.

Sincerely,

[Signature]

Dannel P. Malloy
Governor
June 15, 2012

The Honorable Denise Merrill  
Secretary of the State  
30 Trinity Street  
Hartford, CT 06106

Dear Madam Secretary:

I hereby return, without my signature, substitute House Bill 5425, *An Act Concerning the Applicability of the Sales and Use Tax to Vessel Storage, Maintenance or Repair*. HB 5425 extends the sale tax exemption for winter storage of noncommercial motorboats and the use tax exemption for the winter storage, maintenance, and repair of vessels brought into the state. As the State continues to face the most difficult financial hardships in many years, I cannot support extending these tax exemptions in this economic climate.

Current law grants a sales tax exemption for winter storage of a noncommercial vessel from November 1st to April 30th. HB 5425 would extend the exemption period by two months, from October 1st to May 31st. Likewise, current law provides a use tax exemption for vessels brought into the state exclusively for winter storage, maintenance, or repair from October 1st to April 30th. This bill would extend the use tax exemption by one month, to October 1st to May 31st.

At a time when it is necessary to implement practical and painful solutions to restore Connecticut's financial health, I find it difficult to justify the expansion of these tax exemptions. This bill is nothing more than a subsidy for one particular industry within the state, while others are required to abide by existing tax rules. The Office of Fiscal Analysis estimates that the State will suffer an annual revenue loss of up to $300,000 as a result of HB 5425. This revenue loss is not accounted for in the budget adjustments made this year. Any possible benefits the bill provides are outweighed by this unanticipated revenue loss. Therefore, I cannot support HB 5425.

For these reasons, I disapprove of substitute House Bill 5425, *An Act Concerning the Applicability of the Sales and Use Tax to Vessel Storage, Maintenance or Repair*. Pursuant to Section 15 of Article Fourth of the Constitution of the State of Connecticut, I am returning substitute House Bill 5425 without my signature.

Sincerely,

[Signature]

Dannel P. Malloy  
Governor

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OFFICE OF THE GOVERNOR • STATE CAPITOL  
210 CAPITOL AVENUE, HARTFORD, CONNECTICUT 06106  
TEL (860) 566-4840 • FAX (860) 524-7596 • www.governor.ct.gov  
Governor.Malloy@ct.gov
June 15, 2012

The Honorable Denise Merrill
Secretary of the State
30 Trinity Street
Hartford, CT 06106

Dear Madam Secretary:

I hereby return, without my signature, House Bill 5511, An Act Concerning the Budget, Special Assessment and Assignment of Future Income Approval Process in Common Interest Ownership Communities. This bill diminishes the control of unit owners in certain circumstances when an executive board of a common interest ownership community seeks to enter into a loan agreement on behalf of the association and assigns the community’s right to future income as security for such loan. Under the bill, if the majority of all unit owners, or an even larger number set by an association’s declaration, do not vote to reject the board’s proposal, the loan agreement will be deemed approved.

This approval process imprudently removes financial control from unit owners and places it in the hands of the executive board. Currently, the Common Interest Ownership Act (CIOA) requires a majority of all unit owners to vote in favor of an executive board’s proposal for a loan agreement for it to be approved. Shifting from a presumption that the proposal fails without approval by a majority of unit owners, to a presumption that the proposal is approved without rejection by a majority of unit owners, unreasonably shifts power from unit owners to the board. In the absence of a unit owner's vote, House Bill 5511 wrongfully assumes the owner's implied approval of the executive board’s proposal.

Subsections (f) and (g) attempt to address a problem similar to the one created by subsection (e) with regard to association budgets and special assessments. Currently, the CIOA presumes that a budget or special assessment presented by the executive board to unit owners is approved unless rejected by a majority of all unit owners. This too presumes that the absence of a unit owner’s vote is an approval of a board’s proposal. Raised Bill 5511 contained language that would have allowed a majority of unit owners voting to reject such a proposal. Unfortunately, the bill was amended to extend this protection only to unit owners in the largest communities and only under certain circumstances.
While the raised bill contained needed protections for unit owners, these were significantly watered down in the bill that passed and cannot justify the significant amount of control that would be given to an executive board to assign an association's future income as security on loan agreements.


Sincerely,

[Signature]

Dannel P. Malloy
Governor
June 15, 2012

The Honorable Denise Merrill
Secretary of the State
30 Trinity Street
Hartford, CT 06106

Dear Madam Secretary:

I hereby return, without my signature, House Bill 5304, An Act Concerning the Training and Authority of Certain Constables Appointed for Fish and Game Protection. This bill creates a specific exemption for fish and game constables appointed by a town in Hartford County having a population between 44,000 and 50,000 from the Police Officers Standards and Training Council’s (“POST”) certification provisions contained in Connecticut General Statute § 7-294d. Because such constables may carry firearms and perform certain police functions, they should not be exempted from certification requirements critical to public safety. Additionally, the bill conflicts with a legal opinion previously issued on the subject by the Office of The Attorney General (“OAG”).

Conn. Gen. Stat. § 7-294a specifically states that “police officers” include an appointed constable who performs criminal law enforcement duties. Fish and game constables are such appointed individuals, and may perform criminal law enforcement duties. In the OAG legal opinion, former Attorney General Blumenthal concluded that even with their limited jurisdiction, fish and game constables are “police officers” within the meaning of § 7-294a. As such, they were previously subject to the authority of the Municipal Police Training Council (“MPTC”), (currently POST), which oversees the training and certification requirements of police officers pursuant to Conn. Gen. Stat § 7-294d.

Although the bill requires fish and game constables to complete basic training and certification requirements tailored to their duties, this falls short of the rigorous training requirements necessary for POST certification. Indeed, POST requires successful completion of, among other things, hundreds of hours of basic training, appropriate field training, a written test and oral interview conducted by a POST certified police officer, polygraph testing, fingerprinting, a background investigation, and physical fitness requirements.

Public safety demands that fish and game officers be held to rigorous training standards as with any other individual permitted to carry a weapon in this state performing police functions.
POST has been effective in standardizing law enforcement training regulations within Connecticut. Allowing this bill to become law would invite requests for further exemptions – eroding existing and effective public safety standards.

For these reasons, I disapprove of H.B. 5304, An Act Concerning the Training and Authority of Certain Constables Appointed for Fish and Game Protection. Pursuant to Section 15 of Article Fourth of the Constitution of the State of Connecticut, I am returning H.B. 5304 without my signature.

Sincerely,

[Dannel P. Malloy's signature]

Dannel P. Malloy
Governor