



State of Connecticut
Office of Governor Ned Lamont

BILL NOTIFICATION NO. 20

July 12, 2019

Governor Lamont signed the following legislation of the 2019 Regular Session on July 1, 2019:

SB 892 AN ACT CONCERNING THE PROVISION OF CERTAIN INFORMATION
SA 19-19 PERTAINING TO CONGREGATE CARE FACILITIES LICENSED OR
ADMINISTERED BY THE DEPARTMENT OF CHILDREN AND FAMILIES.

Governor Lamont signed the following legislation of the 2019 Regular Session on July 12, 2019:

HB 7363 AN ACT PROHIBITING CERTAIN RECOUPMENT PROVISIONS IN
PA 19-199 PHARMACY SERVICES CONTRACTS AND CONCERNING A PREVAILING
RATE OF WAGES EXEMPTION.

HB 7297 AN ACT CONCERNING QUARANTINE AND DISPOSAL ORDERS OF
PA 19-197 ANIMAL CONTROL OFFICERS.

HB 7258 AN ACT CONCERNING THE ESTABLISHMENT OF A FIRM GRADUATION
PA 19-195 DATE.

HB 7192 AN ACT CONCERNING MUNICIPAL AND REGIONAL OPPORTUNITIES
PA 19-193 AND EFFICIENCIES.

HB 7361 AN ACT CONCERNING THE ADOPTION OF MASTER PLANS BY TAX
PA 19-185 INCREMENT DISTRICTS.

HB 7353 AN ACT CONCERNING THE PROVISION OF SPECIAL EDUCATION.
PA 19-184

HB 7325 AN ACT CONCERNING STATE MARSHALS AND STATEMENTS OF
PA 19-180 FINANCIAL INTERESTS.

HB 7313 AN ACT CONCERNING HOMELESS STUDENTS' ACCESS TO EDUCATION.
PA 19-179

HB 7277 AN ACT CONCERNING THE CREATION OF LAND BANK AUTHORITIES.
PA 19-175

HB 7250 PA 19-173	AN ACT CONCERNING THE INCLUSION OF ADDITIONAL TIME DEVOTED TO UNDIRECTED PLAY TO THE REGULAR SCHOOL DAY.
HB 7248 PA 19-172	AN ACT CONCERNING IN-STATE STUDENT STATUS FOR SPOUSES AND CHILDREN OF CERTAIN MEMBERS OF THE ARMED FORCES.
HB 7244 PA 19-171	AN ACT CONCERNING THE PROPERTY TAX EXEMPTION FOR SERVICE MEMBERS AND VETERANS HAVING DISABILITY RATINGS.
HB 7225 PA 19-168	AN ACT CONCERNING PUBLIC HOUSING.
HB 7201 PA 19-165	AN ACT CONCERNING THE CONVENIENCE OF ACQUIRING MOTOR VEHICLE LICENSES AND REGISTRATIONS.
HB 7141 PA 19-162	AN ACT REGULATING ELECTRIC FOOT SCOOTERS.
HB 7140 PA 19-161	AN ACT CONCERNING THE OPERATION LIFESAVER PROGRAM, TRANSPORTATION NETWORK COMPANIES, PUBLIC ELECTRIC VEHICLE CHARGING STATIONS, THE USE OF COLORED AND FLASHING LIGHTS, ROAD AND BRIDGE DESIGNATIONS, THE ISSUANCE OF REMOVABLE WINDSHIELD PLACARDS, SNOW REMOVAL SERVICES CONTRACTS, REPORTS BY THE DEPARTMENT OF TRANSPORTATION AND OTHER TRANSPORTATION STATUTES.
HB 6939 PA 19-143	AN ACT CONCERNING THE ESTABLISHMENT OF MUNICIPAL CULTURAL DISTRICTS.
HB 6666 PA 19-141	AN ACT REQUIRING THE PROMPT PAYMENT OF CONTRACTORS.
HB 7104 PA 19-137	AN ACT CONCERNING ADOPTION OF THE CONNECTICUT UNIFORM TRUST CODE.
SB 1018 PA 19-130	AN ACT CONCERNING THE OPPORTUNITY GAP.
SB 968 PA 19-129	AN ACT ESTABLISHING THE MILITARY TO MACHINISTS AND VETERANS PLATFORM TO EMPLOYMENT PILOT PROGRAMS AND PROVIDING OTHER EMPLOYMENT ASSISTANCE TO VETERANS.
SB 957 PA 19-128	AN ACT CONCERNING COMPUTER SCIENCE INSTRUCTION IN PUBLIC SCHOOLS.
SB 850 PA 19-122	AN ACT CONCERNING AN EXEMPTION FROM THE LICENSING REQUIREMENTS FOR CHILD CARE SERVICES.

SB 936 PA 19-121	AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE OFFICE OF EARLY CHILDHOOD.
SB 924 PA 19-119	AN ACT CONCERNING MOTOR VEHICLE REGISTRATION NOTICE, THE INTERNATIONAL REGISTRATION PLAN, CARRIERS, SCHOOL BUSES, THE MEDICAL ADVISORY BOARD, RESERVED PARKING SPACES, AUTONOMOUS VEHICLES AND OTHER MOTOR VEHICLE STATUTES.
HB 5181 SA 19-20	AN ACT REQUIRING THE PUBLIC UTILITIES REGULATORY AUTHORITY TO STUDY THE CREATION OF A NEW RATE CLASS FOR GAS COMPANIES.
HB 6747 SA 19-22	AN ACT AMENDING THE CHARTER OF THE GROVE BEACH POINT ASSOCIATION.
HB 6890 SA 19-23	AN ACT REQUIRING A STUDY OF THE UNITED STATES DEPARTMENT OF EDUCATION'S PROPOSED REGULATIONS REGARDING SEXUAL MISCONDUCT UNDER TITLE IX OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1972.
SB 838 PA 19-201	AN ACT CONCERNING VISION PLANS, OPTOMETRISTS AND OPHTHALMOLOGISTS.

Governor Lamont vetoed the following legislation of the 2019 Regular Session on July 12, 2019:

HB 5001 PA 19-198	AN ACT REQUIRING A STUDY OF WORKFORCE TRAINING NEEDS IN THE STATE. <i>To read the veto message, view page 4 of this document</i>
HB 7178 PA 19-158	AN ACT CONCERNING DISCLOSURES BY REAL ESTATE BROKERS AND SALESPERSONS. <i>To read the veto message, view page 6 of this document</i>
HB 7107 PA 19-138	AN ACT CONCERNING THE THEFT OF WASTE VEGETABLE OIL OR ANIMAL FATS. <i>To read the veto message, view page 8 of this document</i>

As of this date, the governor has signed two hundred and twenty-three (223) bills and vetoed three (3) bills of the 2019 Regular Session.



Ned Lamont
GOVERNOR
STATE OF CONNECTICUT

July 12, 2019

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

Dear Madam Secretary:

I hereby return, without my signature, House Bill No. 5001, *An Act Requiring a Study of Workforce Training Needs in the State*. This bill addresses two entirely separate and distinct issues.

Sections 1-4 of the bill amend existing state laws governing the Workforce Training Authority within the Department of Labor. Among other things, the bill: (1) makes public entities eligible for grants awarded by the Authority; (2) changes the membership of the Authority; and (3) expands the industry sectors eligible for training assistance from the Authority to include the areas of construction, health care, and early childhood education. Section 4 of the bill also requires the Department of Labor, in collaboration with workforce development boards within the state, to study programs offered to individuals seeking employment within the state.

Sections 5 and 7 of the bill address an entirely separate set of issues. Section 7 repeals section 31-62-E4 of the Regulations of Connecticut State Agencies, entitled "Diversified employment within the restaurant industry." That repeal is "effective from passage and applicable to actions pending on or filed on or after said date." Section 5 of the bill, in turn, requires the Department of Labor to promulgate new regulations replacing the repealed regulation and provides that, in doing so, the Commissioner of Labor must consult with representatives of the restaurant industry and consider the federal laws and regulations governing the issues addressed by these regulations.

Broadly speaking, the current state regulations addressed by these sections of the bill govern the minimum wage a restaurant must pay an employee who spends some, but not all, of his or her time engaged in activities for which tips or gratuities are customarily received. Under state law, employers may pay an employee a lower minimum wage if the employee is engaged in work for which such tips are customarily received. If, however, during the course of one's shift an employee performs such work but also performs work for which the higher, standard minimum

wage is required, the employer must segregate and record the hours spent doing each task and pay the employee the appropriate wage for the respective hours worked. If the employer cannot or does not so segregate and record an employee's time, the employer must pay the employee the higher minimum wage for all hours worked.

Section 7 repeals the regulation setting forth these requirements. Section 5 requires the Commissioner to adopt new regulations that look to federal law for guidance. Generally, federal law permits an employer to pay an employee engaged in both service and non-service work the lower minimum wage under a broader set of circumstances than the state law.

These sections of the bill make significant policy changes to a complex area of the law governing the rights of workers to a fair wage. While it may be reasonable to conclude that state and federal laws should be consistent in this area, that conclusion ought to be made only after sufficient study, debate and input from affected stakeholders. That did not happen here.

More problematic, however, is the provision of the bill purporting to make the repeal of the state regulation retroactive to any civil actions pending or filed on or after the bill's passage. Any such civil actions, of course, would be brought to pursue claims for wages earned at a time when the regulation at issue was in effect. This retroactive attempt to extinguish a worker's right to recover wages in an amount lawfully required and earned is patently unfair to the affected workers. It also raises serious due process and other constitutional concerns.

For these reasons, I disapprove of House Bill No. 5001, *An Act Requiring a Study of Workforce Training Needs in the State*. Pursuant to Section 15 of Article Fourth of the Constitution of the State of Connecticut, I am returning House Bill No. 5001 without my signature.

Sincerely,



Ned Lamont
Governor



Ned Lamont

GOVERNOR
STATE OF CONNECTICUT

July 12, 2019

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

Dear Madam Secretary:

I hereby return, without my signature, House Bill No. 7178, *An Act Concerning Disclosures by Real Estate Brokers and Salespersons*. This bill removes existing consumer protections that require agents of sellers of residential properties to disclose whom they represent to potential buyers before significant discussions or negotiations begin.

Under current law, a broker or salesperson acting as an agent in a residential real estate transaction (a transaction involving a one- to four-family residential real property located in the state) must disclose in writing whom they represent at the beginning of the first personal meeting about the purchaser's or lessee's specific needs or about the seller's or lessor's specific real property. The bill instead allows this disclosure at any time before a prospective purchaser or lessee signs the purchase contract or lease.

This bill would allow, for example, a seller's agent to negotiate all terms of a purchase agreement without disclosing the fact that they represent the seller, as long as the agent tells the buyer that they do not represent the buyer at some point before the buyer signs the purchase agreement – even as late as the meeting to sign the agreement. Current law requires agents to disclose this fact when they first begin speaking to a prospective buyer. The proposed weakening of this common-sense consumer protection could create confusion and uncertainty for consumers in the residential real estate market, especially those who believe, incorrectly, that a seller's agent is acting solely as the buyer's representative or as a neutral broker, with no commission at stake for completing the sale. The risk is even greater for first-time homebuyers and those with little previous experience in the residential real estate market. The current law strikes the right balance between simplicity of transactions and transparency for consumers.

This law was previously amended in 2017 through Public Act 17-169. That bill allowed agents in commercial transactions to disclose the identity of their clients at any time before a purchase agreement was signed, instead of during the first personal meeting about a purchaser's or

lessee's specific needs or seller's or lessor's real property, as was required for both residential and commercial sales before 2017. This was an acceptable reform to streamline the rules for business transactions. Commercial purchasers and lessees are typically more experienced market participants, and are often not buying or leasing for the first time. Commercial buyers and lessees also more often use their own agents or are represented by attorneys throughout the process.

This is not the case for residential buyers, and House Bill No. 7178 significantly weakens a disclosure requirement that protects them. Indeed, members of the Connecticut Real Estate Commission, the body that works with the Department of Consumer Protection to regulate the real estate industry, have reached out to my office to express serious concerns regarding the weakening of consumer protections in this bill, and I agree.

For this reason, I disapprove of House Bill No. 7178, *An Act Concerning Disclosures by Real Estate Brokers and Salespersons*. Pursuant to Section 15 Article Fourth of the Constitution of the State of Connecticut, I am returning House Bill No. 7178 without my signature.

Sincerely,



Ned Lamont
Governor



Ned Lamont
GOVERNOR
STATE OF CONNECTICUT

July 12, 2019

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

Dear Madam Secretary:

I hereby return, without my signature, House Bill No. 7107, *An Act Concerning the Theft of Waste Vegetable Oil or Animal Fats*. This bill classifies the theft of certain cooking products as 4th degree larceny regardless of their value.

Under current law, a person commits larceny when, with intent to deprive another of property or to appropriate the same to himself or a third person, he wrongfully takes, obtains or withholds such property from an owner. The degree of the offense and the penalty associated with it generally depends not on the kind of stolen property, but on its value. The theft of up to \$500 of property is 6th degree larceny, a class C misdemeanor punishable by up to three months in prison and/or a fine of up to \$500; the theft of property worth more than \$500 and up to \$1,000 is 5th degree larceny, a class B misdemeanor punishable by up to six months in prison and/or a fine of up to \$1,000; and the theft of property worth more than \$1,000 and up to \$2,000 is 4th degree larceny, a class A misdemeanor punishable by up to one year in prison and/or a fine of up to \$2,000. The theft of property of even greater value is a class D, C, or B felony.

This bill would make the theft of even a de minimis amount of waste vegetable oil or animal fats a class A misdemeanor punishable by up to one year in prison. The theft of those products is a crime, and should be seriously policed and prosecuted as one. But aggravating that theft to 4th degree larceny regardless of the value of the stolen product, and in derogation of the penal code's value-based classification of larcenies, privileges the theft of one particular product and the protection of one particular industry over other Connecticut property owners. A person who steals \$35 worth of waste vegetable oil should not face the prospect of a prison sentence four times greater than that faced by a person who steals \$35 worth of gasoline.

For this reason, I disapprove of House Bill No. 7107, *An Act Concerning the Theft of Waste Vegetable Oil or Animal Fats*. Pursuant to Sect 15 Article Fourth of the Constitution of the State of Connecticut, I am returning House Bill No. 7107 without my signature.

Sincerely,



Ned Lamont
Governor