

***Connecticut Mortgage
Bankers Association
2018 Final Legislative
Report***

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Table of Contents:

- Page 3 – *Mortgage Lending / Foreclosures*
- Page 7 - *Fraud*
- Page 8 – *Credit Unions*
- Page 8 – *State Budget*
- Page 9 – *Human Resources / Labor Law*
- Page 14 – *Crumbling Foundations*
- *Page 14 – Miscellaneous Non-Banking Issues of Interest*

Mortgage Lending / Foreclosures

SB 150 AN ACT PROVIDING PROTECTIONS FOR CONSUMERS APPLYING FOR REVERSE MORTGAGES.

Status: Passed – Public Act 18-38

This bill expands the counseling and certification requirements for reverse annuity mortgages, a type of mortgage that allows homeowners to convert accumulated home equity into liquid assets.

The bill establishes counseling requirements that must be met before any entity, including a state or federally chartered bank or credit union, may (1) accept a final and complete reverse annuity mortgage loan application or (2) assess any fees for such a mortgage.

It also requires reverse mortgage lenders to receive and store a signed certification from the borrower or his or her authorized representative stating that the counseling requirements were met.

The bill (1) prohibits a reverse mortgage lender, originator, or loan servicer from compensating counseling agencies and (2) specifies that any violation of the counseling and certification provisions is a violation of the state's unfair trade practices law (see BACKGROUND).

EFFECTIVE DATE: October 1, 2018

181 AN ACT ESTABLISHING A PILOT PROGRAM FOR THE PRESERVATION OF OPEN SPACE.

Status: Dead

The legislature considered a proposal to allow municipalities to impose an additional 1% real estate conveyance tax on the sale of residential property. The revenue generated by this new tax would be used by the municipalities to purchase open space.

SB 390 AN ACT PRESERVING THE INTERESTS OF PRIOR TITLE HOLDERS.

Status: Dead

Existing law grants the state a claim against, among other things, property a state aid program (e.g., Medicaid) beneficiary has or receives for the amount of aid paid to the beneficiary. The state's claim has priority over all other unsecured and unrecorded encumbrances.

This bill would prevent a previously recorded interest in property from losing its priority to an unrecorded or subsequently recorded lien by the state against a person for repayment of state aid. It would do so by specifying that the state's lien against an interest in land is:

1. not effective unless it is recorded on the land records in the municipality where the land is located and
2. subordinate to previously recorded interests in the land.

SB 391 AN ACT ELIMINATING THE REQUIREMENT THAT A MORTGAGOR REPRESENTED BY COUNSEL ATTEND THE FIRST FORECLOSURE MEDIATION SESSION IN PERSON.

Status: Passed – Public Act 18-53

This bill eliminates the requirement that a mortgagor participating in the state's foreclosure mediation program who is represented by counsel attend the first mediation session in person.

The foreclosure mediation program is available to (1) owner-occupants of one- to four-family residential real property who use it as their primary residence and (2) religious organizations.

SB 485 AN ACT CONCERNING THE PROVISION OF A PAYOFF STATEMENT BY A JUDGMENT LIENHOLDER.

Status: Passed – Public Act 18-70

This bill creates a process by which a judgment lienholder must provide a payoff statement to a debtor, the debtor's attorney, or current owner of the property subject to the lien.

Specifically, the bill:

1. requires a judgment lienholder or the lienholder's attorney to provide a written payoff statement within a specified time period after receiving a written request for it;
2. allows the request to be sent to the lienholder using the name and address on the property records, but requires it to be sent to the lienholder's attorney if the lienholder has taken enforcement action regarding the lien; and
3. prohibits charging a fee for the first payoff statement request each calendar year, unless there is a request for expedited delivery and certain conditions are met.

This bill passed, however the penalty provisions were removed.

HB 5399 AN ACT CONCERNING THE ASSIGNMENT OF CERTAIN PROPERTY TAX, WATER AND SEWER LIENS.

Status: Dead

This bill would impose a floor on the amount of property tax, water, and sewer liens that can be assigned (e.g., sold) and imposes new restrictions on the entities that obtain them (i.e., assignees).

It would prohibit municipalities, water pollution control authorities, and regional water and sewer authorities from assigning liens (1) valued at \$3,000 or less or (2) totaling less than three years of unpaid liens. This prohibition applies to liens filed to secure unpaid property taxes, sewer assessments, sewage connection and use charges, and water charges.

HB 5490 AN ACT CONCERNING CONSUMER CREDIT LICENSES.

Status: Passed - Public Act 18-173

This bill, which was proposed by the Department of Banking, makes numerous changes to the banking statutes that generally expand the banking commissioner's authority and standardize various requirements across several license types.

Principally, the bill:

1. extends many existing requirements applicable to certain mortgage-related licensees (i.e., mortgage lenders, correspondent lenders, processors or underwriters, and loan originators) to small loan lenders, mortgage servicers, student loan servicers, lead generators, and six other nonmortgage licenses (i.e., check cashers, consumer collection agencies, debt adjustors, debt negotiators, money transmitters, and sales finance companies); and
2. codifies two of the banking commissioner's orders requiring various nonmortgage licensees to use the Nationwide Mortgage Licensing System and Registry (NMLS or NMLSR; "the system") for license applications, renewals, and other license related activities (the law already requires this for mortgage-related licenses).

The bill also establishes new requirements or modifies existing requirements across all or several of such mortgage and nonmortgage license types. For example, it (1) removes a requirement that licensees physically display their license, (2) makes a licensee's qualifying individual, branch manager, or control person, as applicable, responsible for the licensee's actions, (3) expands the commissioner authority to deny licenses or suspend, revoke, or refuse to renew licenses, and (4) requires licensees to complete reports of condition.

The bill prohibits individuals outside the United States from conducting certain activities subject to licensure in various categories. (It is unclear if this provision is enforceable.)

The bill also makes numerous minor, conforming, and technical changes.

EFFECTIVE DATE: October 1, 2018, except the provisions (1) requiring the banking commissioner to report on sales finance companies are effective upon passage and (2) allowing mortgage loan originators, processors, and underwriters that otherwise qualify for license renewal to compensate for any continuing education deficiencies according to regulations are effective January 1, 2019.

HB 5493 AN ACT CONCERNING A STUDY OF RESIDENTIAL PROPERTY ASSESSED CLEAN ENERGY.

Status: Dead

This bill would require the Banking Commissioner shall submit a report, in accordance with section 11-4a of the general statutes, to report back to the 2019 General Assembly on the feasibility of establishing a residential property assessed clean energy program in this state.

HB 5495 AN ACT REMOVING THE SUNSET DATE FOR THE FORECLOSURE MEDIATION PROGRAM.

Status: Dead

The General Assembly considered legislation this year that would make the foreclosure mediation program permanent. The program was established in 2008 in response to the housing crisis and it was never intended to be permanent. Current statutory authority sunsets the program in June of 2019.

Connecticut has one of the longest foreclosure timeframes in the country. It is estimated that mediation can add up to an additional year to the process. This proposal was opposed by the banks, credit unions and realtors.

This bill was never called in the House or Senate and failed as a result.

Proponents of the program will very likely reintroduce this legislation in 2019.

Fraud

SB 472 AN ACT CONCERNING SECURITY FREEZES ON CREDIT REPORTS, IDENTITY THEFT PREVENTION SERVICES, EMPLOYER CREDIT INQUIRIES AND REGULATIONS OF CREDIT RATING AGENCIES.

Status: Passed – Public Act 18-90

This bill prohibits credit rating agencies from (1) charging a fee to place or remove a credit security freeze and (2) requiring, as a condition of placing the freeze, a consumer to enter into an agreement limiting claims he or she may have against the agency. It also requires that agencies place or remove the freezes as soon as practicable after receiving a request, but no later than the deadline specified in existing law.

The bill increases, from 12 to 24 months, the length of time certain businesses must provide identity theft mitigation services to customers in the event of a data breach (the Attorney General's Office states that its current practice is to negotiate 24 months of mitigation services).

The provision applies to any business that, in the course of ordinary business, owns or licenses electronic data that includes personal information.

It also requires the banking commissioner to adopt regulations requiring credit rating agencies to provide a dedicated point of contact following a data breach through which the department may assist consumers.

HB 5396 AN ACT PROTECTING VICTIMS OF FRAUD BY CERTAIN FINANCIAL INSTITUTIONS.

Status: Dead

The Banking Committee considered legislation that would allow a private individual to bring a lawsuit against a financial institution for unfair or deceptive trade practices. This bill was offered last year, and again this year.

This bill was defeated in committee.

This legislation is not likely to be reintroduced next year.

Credit Unions

Status: Passed – Public Act 18-117

HB 5405 AN ACT CONCERNING CONNECTICUT CREDIT UNIONS.

This bill expands the authority of credit unions by allowing them to do the following:

1. engage in any activity that a federal or out-of-state credit union may do, unless the Department of Banking (DOB) commissioner timely disapproves of it;
2. make mortgage loans secured by a member's one-to-four family personal residence, even if it is not his or her primary residence;
3. invest up to 20%, rather than 5%, of a credit union's total asset value in real estate and improvements without needing commissioner approval; and
4. provide specific additional services such as wire transfer services, prepaid debit cards, and digital wallet services.

The bill decreases how often a credit union's governing board must approve and review its written policies that implement the credit union's powers, from at least annually to only when the policies are amended or as otherwise required by the state's credit union law. But it increases, to at least annually, the frequency of adopting specific written policies on making loans and investments.

The bill also allows credit union members to (1) receive electronic notice of a credit union's annual or special meeting and (2) vote electronically unless the credit union's bylaws prevent it (§ 3).

Lastly, it (1) modifies the contents of the commissioner's annual report to the Banking Committee; (2) allows, rather than requires, regulations to address consumer protection issues related to the expansion of credit union activities; (3) adds to the types of residential property that may secure a mortgage loan; (4) increases, from 10% to 20%, the threshold amount of investment in real estate and improvements requiring DOB approval; (5) adds the provisions on loan and investment policies; and (6) makes other minor and technical changes, including removing an incorrect reference to credit union “members.”

State Budget

SB 543 AN ACT CONCERNING REVISIONS TO THE STATE BUDGET FOR FISCAL YEAR 2019 AND DEFICIENCY APPROPRIATIONS FOR FISCAL YEAR 2018.

Status: Passed – Public Act 18-81

The bipartisan agreement represents changes to the enacted FY19 budget passed last session in October. The proposed budget includes \$20.8 billion in expenditures, includes a surplus of \$23.1 million, and adds \$207.5 million to the bottom line over the enacted FY2019 budget. Increases were also offered in the following areas under the bipartisan agreement:

- Funds the Medicare Savings Plan for seniors up to 246% of poverty, providing coverage to 134,000.
- Restores a total of \$114.9 million in municipal aid, including town aid, education and magnet school funding, and reducing per person charter school payments
- Eliminates a bottom line \$150 million cut to appropriations that would have been implemented by the Governor through holdbacks.
- Provides a 1% rate increase for community providers at a cost of \$31.5 million.
- Maintains funding for many culture and tourism programs.
- Restores funding for Elderly Nutrition Program
- Fully funds Renters' Rebate program.
- Provides \$30.7 million in town grants to limit the maximum mill rate on automobiles in towns at 39 mills.
- Provides additional funding for Care4Kids program.
- Maintains substance abuse and mental health grants as enacted for FY19
- Increases funding for retired teacher' health care by \$30.6 million.
- Eliminates funding for federal storm water discharge compliance.
- Reduce \$3 million in funding for Pay-As-You-Go-Projects under DOT.
- Maintains Subsidized Assisted Living Demonstration at \$2 million.
- Applies an indexed growth factor to "volatility cap" which limits the use of Estimated and Final income tax revenue and requires the excess to be deposited in the Budget Reserve Fund.
- Transfer \$29 million in FY19 and \$120.1 million in FY20 in motor vehicle sales taxes in General Fund to Special Transportation Fund to fund infrastructure projects.
- No new tax increases.
- Two panels are created to study the recommendations of the Commission on Fiscal Stability and Economic Growth; 1) to study tax options; and 2) to study the Teachers' Retirement System. OPM is further directed to hire a consultant to identify \$500 million in efficiency savings in state government.

The budget represents 2.1% growth over Fiscal Year 2018. The projected deficits for Fiscal Year 2020 is \$1.9 billion and \$2.5 billion for FY 2021.

Human Resources / Labor Law

SB 1 – AN ACT CONCERNING EARNED FAMILY AND MEDICAL LEAVE

HB 5387 – AN ACT CONCERNING PAID FAMILY MEDICAL LEAVE

HB 5139 – AN ACT CREATING A PAID FAMILY AND MEDICAL LEAVE SYSTEM IN THE STATE

Status: Dead

All FMLA proposals were defeated this year due to the fiscal cost associated with the program and opposition secured in both Chambers. The bills would have created a Family and Medical Leave Insurance (FMLI) program to provide wage replacement benefits to certain employees taking leave under the state's Family and Medical Leave Act (FMLA) or the family violence leave law, as amended by the bill. It would have provided them with up to 12 weeks of FMLA benefits over a 12-month period in an amount equal to 100% of the employee's weekly earnings, up to a maximum of \$1,000 per week (or an inflation-adjusted equivalent). The program also would have provided two additional weeks of benefits for a serious health condition during pregnancy that results in incapacitation.

Employee contributions would fund the program after initial startup cost were provided by the state. Employee contributions would be capped at 0.5% of an employee's earnings. All private-sector employees who work for employers with at least two employees would have been required to contribute to the fund.

SB 132 – AN ACT COMBATTING SEXUAL HARASSMENT AND SEXUAL ASSAULT

Status: Dead

As passed by the Senate, the bill would have required businesses with 20 or more employees to provide sexual harassment prevention training to all employees every ten years. Companies with less than 20 employees would have to train supervisors. CHRO would have been required to develop the training materials for employers and would have allowed CHRO to bring a civil action instead of conducting an administrative hearing in certain circumstances.

However, due to concerns raised by the Chief Public Defender and numerous factions within the House, the bill was not brought up for a vote and ultimately died due to inaction before adjournment.

SB 321 – AN ACT STABILIZING WORKING FAMILIES BY LIMITING "ON CALL" SHIFT SCHEDULING

Status: Dead

As considered by the Committee on Children, this bill would have prohibited the practice of on call shift scheduling by prohibiting an employer from providing not less than twenty-four hours' notice to an employee of such employee's shift.

Despite heightened press and advocacy surrounding the issue, the bill was defeated within the committee via a single no vote cast by a moderate House Democratic member.

SB 531 - AN ACT CONCERNING THE ASSESSMENT OF A FEE ON CERTAIN EMPLOYERS
HB 5115 - AN ACT CONCERNING A QUARTERLY FEE PAYMENT BY CERTAIN EMPLOYERS AND FRANCHISORS

Status: Dead

Both proposals were not advanced by their respective committees and died due to inaction.

As proposed, these bills would have required employers with over five hundred employees in the state and franchisors that, combined with their franchisees, employ at least five hundred employees in the state to pay a quarterly fee to the state, based in part on the number of hours worked by employees who were paid on average less than fifteen dollars per hour during the quarter.

HB 5044 - AN ACT CONCERNING FAIR TREATMENT OF SICK WORKERS

Status: Dead

As introduced by the governor, this bill would have expanded on the state's current paid sick leave law. Specifically, the bill would have:

- Required employers with less than 20 employees to provide unpaid sick leave;
- Expanded the requirement to provide paid sick days to cover employers with at least 20, rather than 50, employees;
- Eliminated exemptions for manufacturers and certain non-profit employers, thus placing these employers under the bill's sick leave requirements;
- Prohibited employers from requiring employees using paid or unpaid sick leave to search for or find a replacement employee to cover the period that they are out on leave;
- Extended eligibility for sick leave (both paid and unpaid) to any employees paid on an hourly basis or covered by federal minimum wage and overtime pay requirements, rather than limiting it to "service workers" in certain specified job categories;
- Established ways to determine how integrated employers and successor-in-interest employers must comply with the sick leave requirements; and
- Expanded the allowed uses of sick leave so that eligible employees may use it for, among other things, their parents' health issues; to bond with a newborn or newly adopted child; and when a child's school is closed due to a public health emergency.

Despite being pushed by the governor and strong support from the labor community, this bill was never acted on by the House, killing it for the year.

HB 5106 - AN ACT CONCERNING A PAY RATIO CORPORATION INCOME TAX ON PUBLICLY TRADED COMPANIES

Status: Dead

As proposed, this bill would have replaced the current corporation income tax on publicly traded corporations with a corporation income tax rate based on the ratio between such corporation's highest-paid employee and the median compensation level of such corporation's employees.

This new proposed scale would have been implemented as such:

- For a pay ratio of 25:1 or less, five per cent;
- greater than 25:1 up to and including 100:1, seven and one-half per cent;
- greater than 100:1 up to and including 250:1, ten per cent; and
- greater than 250:1, twenty-five per cent.

The bill was never drafted by the Finance Committee and died on its calendar due to inaction before the Committee deadline.

HB 5386 – AN ACT CONCERNING PAY EQUITY

Status: Passed - Public Act 18-8

HB 5386, prohibits employers, including the state and its political subdivisions, from asking, or directing a third-party to ask, about a prospective employee's wage and salary history. The prohibition does not apply if the prospective employee voluntarily discloses his or her wage and salary history or to any actions taken by an employer, employment agency, or its employees or agents under a federal or state law that specifically authorizes the disclosure or verification of salary history for employment purposes. The bill also allows an employer to ask about the other elements of a prospective employee's compensation structure (e.g., stock options), but the employer may not ask about their value.

The bill allows prospective employees to bring a lawsuit within two years after an alleged violation of the bill's prohibition on asking about salary histories. Employers can be found liable for compensatory damages, attorney's fees and costs, punitive damages, and any legal and equitable relief the court deems just and proper.

The effective date of the legislation is January 1, 2019.

HB 5388 - AN ACT CONCERNING A FAIR MINIMUM WAGE

Status: Dead

As proposed and advanced by the Labor and Appropriations Committees, this bill would have increased the state's minimum wage from \$10.10 to \$12.00 on January 1, 2019; \$13.50 on January 1, 2020; and \$15.00 on January 1, 2021.

Beginning in 2023, the bill would have indexed future minimum wage increases to annual increases in the consumer price index (CPI). Starting on July 1, 2022, it would have required the labor commissioner to announce, by July 15 each year, an adjustment to the minimum wage equal to the previous year's percentage increase in the CPI for urban wage earners and clerical workers in the northeast urban area of New York-Northern New Jersey-Long Island, NY-NJ-CT-PA, with no seasonal adjustment, as determined by the U.S. Department of Labor's Bureau of Labor Statistics.

HB 5473 AN ACT CONCERNING CAPTIVE AUDIENCE MEETINGS.

Status: Dead

This bill would prohibit employers from requiring their employees to attend an employer-sponsored meeting with the employer if the meeting's primary purpose is to communicate the employer's opinion about political or religious matters.

Under the bill:

1. "political matters" are matters relating to (a) elections for political office, (b) political parties, (c) legislation, (d) regulation, and (e) decisions to join or support any political party or political, civic, community, fraternal, or labor organization and
2. "religious matters" are matters relating to (a) religious affiliation and practice and (b) the decision to join or support any religious organization or association.

HB 5497 AN ACT PROHIBITING CERTAIN EMPLOYERS IN THE SECURITIES INDUSTRY FROM REQUIRING EMPLOYEES TO ENTER INTO NONCOMPETE AGREEMENTS.

Status: Dead

Legislation was considered that would have disallowed non-compete agreements as a condition of employment for broker dealers and investment advisors.

The financial services and insurance industries strongly opposed this legislation. It was voted out of the Banking Committee on a 10-9 party line vote.

This proposal was never taken up in either the House or Senate.

This proposal is likely to be considered again in the next legislative session. Although future legislation will likely call for prohibiting non-compete agreements for periods longer than one or two years – unlike this year’s proposal which was an outright ban on non-competes.

Crumbling Foundations

HB 5209 CRUMBLING CONCRETE FOUNDATIONS.

Last year the legislature adopted a framework to assist owners of residential buildings with concrete foundations damaged by the presence of pyrrhotite (“crumbling concrete foundations”). Among other things, the act created a captive insurance company to distribute grants and organize assistance programs, and authorized the State Bond Commission to issue bonds of up to \$20 million per year for five years. The captive is currently in the process of being organized. Once the captive is operational, grants to homeowners will become available.

This year the General assembly adopted legislation that would impose a \$12 surcharge on homeowner insurance policies issued over the next 11 years. The surcharge would generate approximately \$10 million per year which would be available for remediation grants.

Amendments were filed, but never called for a vote, that would have imposed a fee on mortgage transactions as well.

The issue of crumbling foundations will likely be considered in some form or fashion next session.

Miscellaneous Non-Banking Issues of Interest

Tolls / Transportation Infrastructure Funding.

The State House of Representatives was unable to garner enough votes to adopt legislation regarding tolls. Specifically, the proposal would have required the State Department of Transportation to develop a detailed electronic tolling plan for state highways for legislative consideration next year. The tolling plan would have contemplated tolls on interstates 84, 91 and 95 and on the Merritt and Wilbur Cross Parkways.

Alternative sources of infrastructure funding also failed to pass this year. These sources included:

- Increase the gas tax by seven cents over four years; increase the gross receipts tax, and;
- Impose a tire tax of three dollars per tire.

The one funding mechanism that did survive was a proposal to accelerate the transfer of the new car sales tax to the Special Transportation Fund rather than the General Fund.

Transportation infrastructure funding solutions will very likely be considered again in 2019.

Legalization of Marijuana

Connecticut currently allows the use of marijuana for treatment of certain medical conditions. In addition, the state has decriminalized the possession of less than a half ounce of marijuana which is now only punishable by fines.

Legislation to legalize the recreational use of marijuana was considered this year but was never taken up for a vote by either chamber.

Legalizing the recreational use of marijuana will very likely be considered in the next session.

Commission on Fiscal Stability and Economic Growth

Two panels were created to study the recommendations of the Commission on Fiscal Stability and Economic Growth; 1) to study tax options; and 2) to study the Teachers' Retirement System. OPM is further directed to hire a consultant to identify \$500 million in efficiency savings in state government.

The 2019 legislature will be the recipient of the studies and OPM findings described above. Action in response to these findings is possible in the coming session.

Gun Control

After a five-and-a-half hour debate, in a bipartisan vote, the House adopted legislation banning the sale of "bump stocks". Bump stocks convert weapons into fully automatic firearms - enabling the gun to fire nearly at the rate of a machine gun. The Senate also adopted the legislation and it now awaits the Governor's certain signature.

Connecticut has very strict gun laws. Nevertheless, additional gun safety legislation could be considered next year.

Internet Net Neutrality

The Senate on a 19-to-18 vote adopted legislation in response to the Federal Communications Commission's (FCC) recent decision to repeal various rules that regulate the internet. The House lacked the votes to consider the legislation.

Opponents and proponents disagree as to what effect the recent FCC decision will have on internet access.

Legislation on net neutrality could possibly be considered in 2019.

Casinos / Sports Betting

Legislators in the Bridgeport area pushed hard for a new casino by MGM Resorts. Opposition came from those supporting Foxwoods' and Mohegan Sun's planned joint expansion in East Windsor. At issue was whether an additional commercial casino not run by the state's two current recognized tribes would jeopardize the compact that the state has with them regarding existing slot revenue.

Legislation that set-in motion the possibility of allowing non-tribal casinos to compete in an open bidding process passed the House by a narrow margin but was never called in the Senate.

The legislature also failed to adopt legislation that would set out the rules regarding sports betting in Connecticut. As anticipated, the US Supreme Court just recently overturned the ban on state sanctioned sports betting. The legislature and the Governor are now considering a special session to address this issue. It is estimated that sports betting could generate between \$40 and \$80 million per year in new state revenue.

Sports betting and casino expansion will be considered again in 2019.

Judicial Nominations

After a protracted battle to elevate Justice Andrew McDonald to Chief Justice of the Supreme Court, which resulted in defeat of his appointment, the Legislature overwhelmingly confirmed Justice Richard Robinson of Stamford to serve as the next Chief Justice.

City of Hartford

Legislative leaders took action to partially mitigate the effects of an agreement between the City of Hartford and the Malloy Administration that contractually obligates the state to pay Hartford's general obligation debt of \$534 million. Specifically, legislation approved in both chambers would reduce non-education aid to the city by an amount equal to the emergency debt assistance Connecticut contractually pledged to Hartford earlier this spring.

Additional legislation regarding the City of Hartford's and other distressed municipalities budget woes will very likely be considered in 2019.

National Popular Vote for President

A decade-long lobbying campaign ended with the General Assembly approving legislation that commits the state to an interstate compact intended to sideline the Electoral College and elect the president by the popular vote.

The national vote compact would not take effect until state's representing 270 electoral votes' sign onto the compact. The addition of Connecticut's seven electoral votes will bring the current tally to 172 – 98 short of a majority. New York, Massachusetts and Rhode Island are also part of the compact.

This legislation will not likely be revisited in 2019.

State Water Plan

After four years of collaborative discussions among the Water Planning Council (WPC) and stakeholders, a State Water Plan was submitted to the General Assembly for its approval. The 600-page plan, among other things, is intended to be a framework for recommending policies, management strategies and usage regarding water.

Unfortunately, at the 11th hour language was added to the plan that raised serious concerns regarding the expansion of the Public Trust Doctrine in Connecticut.

The expansion or misapplication of the Public Trust Doctrine in Connecticut could jeopardize the availability of water supplies needed to:

- 1) Maintain business and industrial operations;
- 2) Support agricultural industries, including farms, nurseries and greenhouses;
- 3) Plan and move forward with state and local economic development projects, housing developments, shopping centers, and business expansion;
- 4) Address public health and safety needs, including fire suppression; and
- 5) Sustain operations at colleges, universities, hospitals, nursing homes and other health care facilities.

Given the high stakes, opponents of the inclusion of the Public Trust Doctrine sought to have the plan modified. After much negotiation and advocacy no resolution was achieved. As a result, the next General Assembly will likely pick this issue up where it was left off this session.

This issue will be considered in 2019.