



DANNEL P. MALLOY
GOVERNOR
STATE OF CONNECTICUT

May 15, 2012

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

Dear Madam Secretary:

I am hereby returning without my signature substitute House Bill 5318, *An Act Concerning the Revision of Municipal Charters*. Last year I vetoed an essentially identical bill, HB 6410, and my views have not changed. I continue to disapprove of this concept, because it unnecessarily restricts the independence and authority of charter review commissions.

Under this proposed law, beginning in October, municipal legislative bodies could restrict the scope of authority now vested in charter revision commissions in substantial ways. Specifically, it would remove the authority now vested in a charter revision commission to consider all aspects of a charter in discharging its obligations.

Municipal charters form the fundamental framework of local government. The decision of local legislative bodies about whether to amend a charter is a significant one. Once that decision is made, the members of the charter revision commission are charged with the responsibility of researching, analyzing and proposing any amendments to the charter they deem necessary. This legislation unnecessarily limits the ability of such commissions to thoroughly do their jobs. It could easily lead to situations where changes in one section of a charter are amended, but an interrelated section of the charter is considered off limits because of the narrow authority given to the commission by the legislative body. Such an inability to make corresponding changes in related sections of a charter could yield unworkable or incongruous results.

I am also concerned about the possibility that this bill could be used by a political party that has dominant control of the municipality's legislative body to target particular items in a charter that are disfavored by that majority, but which are favored by the minority. While such opportunism would hopefully be rare, it is a real risk and one that concerns me, regardless of which political party is in the majority.

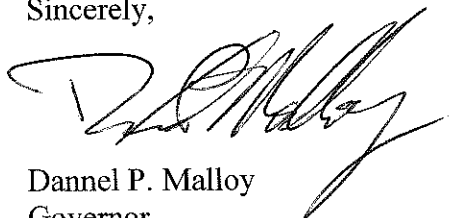
While many of the practical challenges that may arise under municipal charters are well known to the members of a local legislative body, others in local government have important insights

and understandings of those charters as well. Under this legislation, mayors and first selectmen and other elected officials who are not members of the local legislative body would have no practical opportunity to advance independent proposals for consideration by the commission. As a former mayor for 14 years, I know well that chief elected officials have intimate understandings of charter obligations and limitations, and it seems to serve no logical purpose to forestall the ability of those officials to participate fully in the charter revision process.

Finally, this legislation undermines the rights of citizens and citizen groups generally to participate in the charter revision process. Great ideas for charter amendments can come from all quarters, and should not be forestalled if they did not originate with the local legislative body. Groups like the League of Women Voters, or even just active individuals in a community who are keen observers of government, should be allowed to contribute their ideas and suggestions openly before a charter revision commission. Unfortunately, that door might be shut to such citizen involvement under this bill.

For these reasons, I disapprove of substitute House Bill 5318, *An Act Concerning the Revision of Municipal Charters*. Pursuant to Section 15 of Article Fourth of the Constitution of the State of Connecticut, I am returning substitute House Bill 5318 without my signature.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Malloy", written in a cursive style.

Dannel P. Malloy
Governor