



General Assembly

February Session, 2012

**Raised Bill No. 38**

LCO No. 530

\*00530\_\_\_\_\_GAE\*

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

**AN ACT CONCERNING THE PUBLISHING OF EXECUTIVE ORDERS PROCLAIMING AN EMERGENCY BY THE SECRETARY OF THE STATE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 28-9 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) In the event of serious disaster, enemy attack, sabotage or other  
4 hostile action or in the event of the imminence thereof, the Governor  
5 may proclaim that a state of civil preparedness emergency exists, in  
6 which event the Governor may personally take direct operational  
7 control of any or all parts of the civil preparedness forces and functions  
8 in the state. Any such proclamation shall be effective upon filing with  
9 the Secretary of the State. Any such proclamation, or order issued  
10 pursuant thereto, issued by the Governor because of a disaster  
11 resulting from man-made cause may be disapproved by majority vote  
12 of a joint legislative committee consisting of the president pro tempore  
13 of the Senate, the speaker of the House of Representatives and the  
14 majority and minority leaders of both houses of the General Assembly,

15 provided at least one of the minority leaders votes for such  
16 disapproval. Such disapproval shall not be effective unless filed with  
17 the Secretary of the State not later than seventy-two hours after the  
18 filing of the Governor's proclamation with the Secretary of the State.  
19 As soon as possible after such proclamation, if the General Assembly is  
20 not then in session, the Governor shall meet with the president pro  
21 tempore of the Senate, the speaker of the House of Representatives,  
22 and the majority and minority leaders of both houses of the General  
23 Assembly and shall confer with them on the advisability of calling a  
24 special session of the General Assembly.

25 (b) Upon such proclamation, the following provisions of this section  
26 and the provisions of section 28-11 shall immediately become effective  
27 and shall continue in effect until the Governor proclaims the end of the  
28 civil preparedness emergency:

29 (1) Following the Governor's proclamation of a civil preparedness  
30 emergency pursuant to subsection (a) of this section or declaration of a  
31 public health emergency pursuant to section 19a-131a, the Governor  
32 may modify or suspend in whole or in part, by order as hereinafter  
33 provided, any statute, regulation or requirement or part thereof  
34 whenever the Governor finds such statute, regulation or requirement,  
35 or part thereof, is in conflict with the efficient and expeditious  
36 execution of civil preparedness functions or the protection of the  
37 public health. The Governor shall specify in such order the reason or  
38 reasons therefor and any statute, regulation or requirement or part  
39 thereof to be modified or suspended and the period, not exceeding six  
40 months unless sooner revoked, during which such order shall be  
41 enforced. Any such order shall have the full force and effect of law  
42 upon the filing of the full text of such order in the office of the  
43 Secretary of the State. The Secretary of the State shall, not later than  
44 four days after receipt of the order, cause such order to be [printed and  
45 published in full in at least one issue of a newspaper published in each  
46 county and having general circulation therein] posted on the  
47 secretary's Internet web site and printed in the Connecticut Law

48 Journal, but failure to [publish] post or print such order shall not  
49 impair the validity of such order. Any statute, regulation or  
50 requirement, or part thereof, inconsistent with such order shall be  
51 inoperative for the effective period of such order. Any such order shall  
52 be communicated by the Governor at the earliest date to both houses  
53 of the General Assembly.

54 (2) The Governor may order into action all or any part of the  
55 department or local or joint organizations for civil preparedness  
56 mobile support units or any other civil preparedness forces.

57 (3) The Governor shall order and enforce such blackouts and radio  
58 silences as are authorized by the United States Army or its duly  
59 designated agency and may take any other precautionary measures  
60 reasonably necessary in the light of the emergency.

61 (4) The Governor may designate such vehicles and persons as shall  
62 be permitted to move and the routes which they shall follow.

63 (5) The Governor shall take appropriate measures for protecting the  
64 health and safety of inmates of state institutions and children in  
65 schools.

66 (6) The Governor may order the evacuation of all or part of the  
67 population of stricken or threatened areas and may take such steps as  
68 are necessary for the receipt and care of such evacuees.

69 (7) The Governor may take such other steps as are reasonably  
70 necessary in the light of the emergency to protect the health, safety and  
71 welfare of the people of the state, to prevent or minimize loss or  
72 destruction of property and to minimize the effects of hostile action.

73 (8) In order to insure the automatic and effective operation of civil  
74 preparedness in the event of enemy attack, sabotage or other hostile  
75 action, or in the event of the imminence thereof, the Governor may, at  
76 the Governor's discretion, at any time prior to actual development of  
77 such conditions, issue such proclamations and executive orders as the

78 Governor deems necessary, such proclamations and orders to become  
79 effective only under such conditions.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	28-9

**Statement of Purpose:**

To permit the Secretary of the State to post executive orders concerning the Governor's proclamation of certain emergencies on the secretary's Internet web site and publish such orders in the Connecticut Law Journal rather than publish them in a newspaper.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*