Legislative History for Connecticut Act

SB357 PA 614 1977

House 4955-5061

Senate 2589-2686

Govt Admin & Policy 800-813, 815-817, 824-829, 859-860, 879-888, 889, 896, 935, 937, 989-1027, 1111-1183

Total 354

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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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that purpose, and the gentleman from the 10th has the floor.

MR. MOYNIHAN (10th):

Mr. Speaker, I move for adoption and passage of the following honorary items on the consent calendar, namely: Calendar No. 1306, 1307, 1308, 1309, 1310, 1312, 1313.

THE SPEAKER:

You have the motion of the gentleman from the 10th for adoption of the resolutions of congratulations and/or condolence as appear on todays' consent calendar. All those in favor of the motion will indicate by saying aye. Opposed? The ayes have it. The Resolutions are ADOPTED.

MR. MOYNIHAN (10th):

Mr. Speaker, I move for suspension of the rules for the immediate transmittal to the Senate of the following House Joint Resolutions: Calendar No. 1306, Calendar No. 1307, Calendar No. 1308.

THE SPEAKER:

You have the motion of the gentleman from the 10th for suspension for immediate transmittal of Calendar Nos. 1306, 1307 and 1308 and is there objection to the gentleman's motion? Hearing no such objection, the rules are suspended for that purpose and the three resolutions are transmitted to the office of Senate Clerk.

Will the Clerk please call on page 6 of today's calendar, Calendar No. 1278, substitute for S.B. No. 357, An Act Concerning the Reorganization of the Executive Branch of State Government, in files as File No. 898.

THE CLERK:

On page 6 of the Calendar, Calendar No. 1278, substitute for

S.B. No. 357, An Act Concerning the Reorganization of the Executive Branch of State Government, File No. 898, as amended by Senate Amendment Schedules "A", "B", "C" and "E", favorable report of the Committee on Government Administration and Policy.

THE SPEAKER:

The lady from the 40th assembly district, Rep. Patricia T. Hendel, Chairlady of the joint committee on Government Administration and Policy.

MRS. HENDEL (40th):

Mr. Speaker, I move acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

THE SPEAKER:

Question is on acceptance of the joint committee's favorable report and passage of the bill in concurrence and will you remark, madam?

MRS. HENDEL (40th):

Yes, Mr. Speaker, I will. Mr. Speaker, ladies and gentlemen, today we have an opportunity which no other session of this general assembly has had in the last forty years during which reorganization has been discussed in Connecticut. The concept of reorganization is not new in the United States, in fact some plans for reorganization were set forth as early as the turn of the century. Most reorganization plans at the state level though have occurred recently. In the last few years, more than 26 states in the United States have reorganized their executive branches. None of them have gone back to the positions they held prior to reorganization.

We, in Connecticut, now have the opportunity to stem the increasing tide of criticism of state government. State government in which we all

serve is the least well regarded by the public of the three levels of government, federal, state and local. How do we account for this low opinion? State government has grown rapidly in the past forty years, in an effort to meet increasing demands for state services, new organizational units have been established to meet these needs but established often without sufficient consideration as to their relationship to the structure of government. Thus, we have seen the establishment of new boards, commissions and agencies for ever-expanding programs with many of them reporting directly to the Governor.

We, in this 1977 general assembly, were faced with the challenge to respond to the report of the Committee on the Structure of State Government, the Filer Committee report and we have this opportunity to take action on reorganization through several different routes. State reorganization can be accomplished in three different ways: one by executive action; two, by constitutional amendment; and three, by legislative action. This legislature has chosen to go the legislative route since it will make reorganization reflective of the views of the public and it can be accomplished more readily.

The four studies of government reorganization in Connecticut have covered the span of the last forty years, the 1937 Cross Report, the 1950 Bowles Report, the 1971 Etherington Report and the 1976 Filer Report. All four have sought to accomplish the same objectives and made notwithstanding diverse economic conditions, which political party was in power, societial changes and a doubling of state population since 1937, all have tried to fix responsibility and accountability. All have tried to create an effective span of control. The concept inherent in all the plans was

(record 2)

that an elected Governor should be responsible to the electorate for executing the laws and that to be genuinely responsible and to be able to exert policy direction, he or she must be in control of executive agencies.

The Etherington Report added to the concept of accountability of key officials to the Governor the accountability of the Governor and her staff to the general assembly.

In January, our committee began an intensive study of how we could best improve the delivery of services to the taxpayers of Connecticut. We adopted as principle the consistent objectives of responsibility and accountability. We reviewed the whole spectrum of state government, seeking to understand the functions of state government and how best to deliver them to our citizens. We reviewed thoroughly reorganization plans that were adopted in other states and in particular in nine other states, including California, Georgia, Louisiana, Oregon, Massachusetts, Maine, North Carolina, Arkansas and Colorado. We studied these to see what they did in their states and to try to avoid any pitfalls into which they may have fallen.

The committee worked very hard on a totally bipartisan and cooperative basis. We listened to countless hearings, to our citizens, department heads, state employees, boards, commissions, members of the public. We held joint hearings with other legislative committees and worked closely with other sub-committees. We met evenings and some weekends and began to prepare a bill which was based all of these studies and opinions and which represented our own synthesis of all of these ideas. We were aided by our own legal staff, and excellent interns, without whose help this very major drafting job would not have been possible.

We have also tried to share with our colleagues here in the

general assembly the information as we developed it. We knew we were going to have a very large bill encompassing a very large concept so that early in February and repeatedly thereafter, we shared with you our reports so that you would be following the thought process and the information process as we were developing it.

People have said to me repeatedly, oh, reorganization is a motherhood issue. We're all for it. It should be easy. Well, let me remind all of you who are parents, parenthood isn't easy. Department head and department head came to us and said over and over and over, reorganization is a wonderful idea. We should have it. Good luck. And now, let me tell you why my department should be exempted and why it is unique.

Few states which have reorganized have prepared a bill drafted in as much detail as this one and which clearly states where certain agencies go. We sought to make the goal of our plan clear and we tried to prepare as detailed an implementation plan as we could.

There's one last point I'd like to make before I call for the Senate Amendments. I've taken some time this afternoon to explain the process by which we studied reorganization so that our colleagues here in this room would understand the intricate means by which we developed the bill. The bill is the result of compromise and study, of give and take process by which we all participated. After I propose some amendments, which I hope we will adopt in concurrence with the Senate, other amendments may well be proposed. They may sound tempting to many of us but I want to caution us all, our reorganization bill has had wide support by the public. Any attempt to change the amended bill will seriously threaten passage of this bill. All of us here must bite the bullet today, just as the GAP Committee has been doing all session. We have listened

and the bill reflects the product of what we've heard. I trust that we'll continue to have the guts today to stand by the amended bill which is a carefully planned product of all of our efforts rather than amending it helter-skelter. I've learned that in order to reorganize the executive branch, we in the legislature have had to exercise some self-discipline and control. I urge you all today to think carefully before you vote on any House Amendment because passage of any amendment will no doubt prevent reorganization from occurring.

Finally, Mr. Speaker, let me point out that the final vote on the bill in the committee was 14 to 1, a vote which represented a true concensus of the committee. We do not suggest that reorganization is a pannacea and that it will automatically assure good government. Efficient government depends on many variables including whether proper policies are adopted by theGovernor and the legislature, whether competent people can be attracted to state service, and whether federal policy encourages or discourages efficiency in state operations. People who want state government improved are concerned not with the pat use of power but with its abuse. They're tired of buck passing, and want to know when it's going to stop. Passage of this bill will give us the ability to take a significant step towards providing better government services to the people of our state.

I'd like to quote some statements made in February 1950 in the Report of the Commission on State Government made to Governor Chester Bowles. It states, and I quote, "we have not aimed to reduce or eliminate any service to the people now authorized by law. We have not considered whether any new or additional services should be rendered. It follows from this that the results of our recommendations will show up principally

in the form of better government with its resultant benefits to the people rather than in wholesale cuts in state expenditures. We recognize we cannot hope to please all parties with our recommendations. We cannot make an omelet without breaking some eggs. Connecticut cannot install an effective state government organization without many changes in the responsibilities of those who work in its behalf. Our task is to chart a new pattern, a course of action to secure it. This task is a first and necessary stage, but only a stage, toward better government for Connecticut."

Mr. Speaker, the Clerk has Senate Amendment LCO 9391.

THE SPEAKER:

Will the Clerk please call LCO 9391 which has been designated Senate Amendment Schedule "A".

THE CLERK:

Senate Amendment Schedule "A", LCO 9391 offered by Senator Baker, 24th district.

THE SPEAKER:

Does the lady seek leave of the chamber to summarize in lieu of Clerk's reading?

MRS. HENDEL (40th):

I do, Mr. Speaker.

THE SPEAKER:

Is there objection to the lady from the 40th summarizing? Hearing no such objection, the lady from the 40th for that purpose.

MRS. HENDEL (40th):

Thank you Mr. Speaker. Mr. Speaker, the main bill creates an effective structure for state government in which virtually every independent

agency except those issuing revenue bonds is either attached in some way to one of the twenty-one major departments or abolished. No programs are eliminated and all state employees' rights, including the right to a position in classified service at present rank, are specifically guaranteed. This amendment, Senate Amendment "A", among other things, makes clear that the implementation of this bill will not authorize any further expenditures beyond the appropriated budget we already have acted upon. In addition, it transfers the real estate commission which was originally assigned to the business regulation department to the consumer protection department. The amendment also places within the department of public safety, the state police department, removes the motor vehicle department and attaches the commission on fire prevention to the department for administrative purposes only. It changes the name of the board of permanent examiners to the board of fire arm permanent examiners and changes the number on the board from nine to seven. The main bill incorporates the legislative review process known popularly as sunset which requires the automatic termination of about a hundred regulatory agencies and programs unless, after review, the general assembly takes specific action to modify, combine or continue them.

This amendment puts back this process one year so that the first agency to come under this legislation will be in 1980 rather than in 1979. In addition, the amendment makes it clear that such ...committees will have input into the performance audit and conduct joint hearings with the legislative program review committee. The amendment also exempts three quasi-judicial commissions from the general principles allowing the Governor to appoint the chairpersons and executive directors for the commisssions and starting their terms co-terminately. These are the Human Rights and Opportunities Commission, the Commission on Special

Revenue and the Public Utilities Control Authority.

It also incorporates language in the existing statute dealing with the Department of Community Affairs and to the Economic Development Department making it clear that the Department of Economic Development should, though its housing function, generate moderate and low income housing for the poor.

Several things have to be taken into account in dealing with this amendment because the amendment is a reflection of the principles established in the main bill. As I indicated, it was the committee's view that department heads should be given sufficient authority over their department that they may be held accountable for departmental performance, therefore, statutory requirements for division bureaus and deputy commissioners are repealed and department heads are authorized to organize their departments in the manner they consider most effective. We have dealt with independent bureaus and commissions that are below the department level in one of several ways. We've abolished them completely or two, we've abolished them and put their functions in a related department, or we placed them intact within a related department, or placed them within a department for administrative purposes only. It should be pointed out that agencies attached to the department for administrative purposes remain substantially autonomous receiving support services from the department. The agency would continue to exercise its quasi-judicial rule making, licensing and policy-making function duties of the department without the department's approval or control. It would prepare its own budget, if any. It would hire its own personnel. The department would include the agency's budget request in its budget request but as a separate part and exactly as submitted by

the agency. The department would provide the agency record keeping, reporting, clerical and administrative services and provide staff for the agency if it is not authorized to hire its own.

The bill provides that nearly all boards and commissions will be reconstituted so that one-third of their appointees will be public members.

The amendment adds some technical changes as well to clean up some of the language in the bill. I move passage of the amendment.

THE DEPUTY SPEAKER IN THE CHAIR

THE DEPUTY SPEAKER:

The question is on adoption of Senate Amendment Schedule "A". Would you remark?

MR. STEVENS (119th):

Mr. Speaker, a question through you to Rep. Hendel.

THE DEPUTY SPEAKER:

Please proceed.

MR. STEVENS (119th):

A question relative to Senate Amendment Schedule "A". During the course of bringing out the bill, you indicated that passage of any amendment will prevent passage of the reorganization act. My question, through you, is is Senate Amendment Schedule "A" an exception to your general statement in bringing out the bill?

MRS. HENDEL (40th):

Through you Mr. Speaker, I'm going to move adoption of four Senate amendments which I think are important to the bill and I do hope they pass.

MR. STEVENS (119th):

Through you Mr. Speaker, are the four Senate amendments exceptions to your general statement that passage of any amendment will prevent passage of the bill?

MRS. HENDEL (40th):

Through you Mr. Speaker, yes.

MR. STEVENS (119th):

Thank you, Mr. Speaker. (record 3)

THE DEPUTY SPEAKER:

Will you remark further on Senate Amendment Schedule "A"?

MRS. KIPP (41st):

Mr. Speaker, thank you sir. I have just a minor question or two, through you sir to the Rep. Hendel.

THE DEPUTY SPEAKER:

Please proceed.

MRS. KIPP (41st):

Rep. Hendel, when you were introducing the first Senate amendment, I do believe you remarked that the real estate department would go in the consumer protection department, if I'm not mistaken. If this is the case,may I ask please where Mr. Carey will go, what he will be considered and will he from this point either be locked into classified state employment or will he still serve at the pleasure of theGovernor?

MRS. HENDEL (40th):

Through you Mr. Speaker, we suggested that the real estate commission be put in the department of consumer protection for I think some very important substantive reasons. Presently all occupational licensing boards are being consolidated into state agencies, that we want to consolidate and coordinate administrative service, investigative

activities and create complaint handling services. The real estate commission is an occupational licensing board similar to the others that are in the department of consumer protection. If the commissioner were to remain a business regulation, I think the concept of consolidation of administrative function, uniformity and accountability to the public would be lost. We're very concerned that the types of violations that are administered by the real estate commission are very similar to the violations enforced by the department of consumer protection, and I think we're concerned that real estate and the home is probably the single most important largest investment that any family in this state makes and we want to make sure that they're given full protection of the consumer protection department.

This bill, Mr. Speaker, does not deal with personalities. This bill deals with how to improve the delivery of service to the public and this is what its directed to and I submit that placement of the real estate commission in the department of consumer protection will protect the consumers in this state.

MRS. KIPP (41st):

Mr. Speaker, I could not agree more. I have no particular argument with that. I have just worked with some of these commissioners in reorganization. It has nothing to do with personalities. I'm just wondering what is going to happen to one of our present commissioners and I don't believe the question was answered.

MRS. HENDEL (40th):

Through you Mr. Speaker, the real estate commission will be in the department of consumer protection for administrative purposes only. It will continue to handle its own hiring the way it has in the past and

its personnel will be hired in the same way as it has in the past.

MRS. KIPP (41st):

Well apparently I'm not going to get an answer to my question. I think that's rather sad, I think it's a good logical legal question. I think that all of us, it would be a good idea if all of us knew where some of our now department heads went. I think it's a good legitimate question and I'm very sorry I haven't received the answer. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER:

Will you remark further on Senate Amendment Schedule "A"? Will you remark further? If not, all those in favor of Senate Amendment Schedule "A" indicate by saying aye. Those opposed? Senate "A" is ADOPTED.

Will you remark further on the bill as amended, ruled tebhnical.

MRS. HENDEL (40th):

Thank you Mr. Speaker. Mr. Speaker, will the Clerk please call Senate Amendment LCO 9390?

THE DEPUTY SPEAKER:

The Clerk please call LCO 9390, Senate Amendment Schedule "B".

THE CLERK:

Senate Amendment Schedule "B", LCO 9390 offered by Senator Baker 24th district.

MRS. HENDEL (40th):

Mr. Speaker, may I request permission to summarize and waive reading?

THE DEPUTY SPEAKER:

Any objection to the representative summarizing Senate Amendment

Schedule "B"? Any objection? Please proceed.

MRS. HENDEL (40th):

Thank you Mr. Speaker. This amendment, like the preceding amendment, is the result of much discussion and working together in conferences on the part of many people. The amendment creates a separate department of income maintenance and a separate department of human resources. It places within the department of human resources the commission for the handicapped, the blind, the deaf and hearing impaired for administrative purposes only. It separates out any relationship that we have heard about from so many people or any stigma from welfare. We understand this concept is quite innovative and that it represents the firstsuch separation in the United States. We learned that Georgia is considering such a change and the federal government may be considering moving in this direction as well. I received a letter only yesterday from my local CAP agency commending the concept and it has been well received by persons who are concerned with the human resources in our state.

I move passage of the amendment.

THE DEPUTY SPEAKER:

Question is on adoption of Senate Amendment Schedule "B". Will you remark further on Senate Amendment Schedule "B"? Will you remark further?

MR. STOLBERG (93rd):

Mr. Speaker, I will cast a negative vote on Senate Amendment "B" and it may be a lonely voice in this chamber and I am not sure at this point whether Senate Amendment "B" is anticipatory and farsighted or whether it is a seeds of a major tragedy in the State of Connecticut. A great deal of discussion was given to this concept. However, up until one week ago, there was general agreement that this would not be done this

year, that we would await the direction of federal welfare reform to see whether it provided a framework for this type of structure or for a structure that might indeed be very different and the only thing that restrains me in my opposition to a brief comment and a negative vote is the fact that next year after a federal framework is discernable, this amendment will be re repairable by this general assembly.

Nonetheless, I think it is precipitous at this time and the, any CAP agencies that may be favoring it, favor it only as an alternative to the destruction of both DCA and the department of social services. They've been offered this as a compromise and they have, indeed some of them may have accepted it. My communications still indicate a good deal of opposition both to the dismemberment of the department of community affairs and to the anticipatory segmentation of the department of social services.

I hope that Rep. Hendel is right and indeed my discussions with her and with many other sponsors of this amendment indicate that their motivation is to remove stigma from income maintenance programs. I, however, found in the discussions that there was a real disagreement as to what is an income maintenance program and what is not. I would suggest that there are elements of income maintenance in AFDC, AFDCUF, general assistance, SSI, veterans benefits, unemployment compensation and a number of other programs which are either wholly or partially income maintenance. And indeed eventually we may find a federal consolidation of such income maintenance programs.

My point,Mr. Speaker, is at this time we do not have the information to know whether such a restructuring as is indicated in amendment "B" is warranted or is not warranted. Next year, we may find that this is

entirely supportable and at that time, I would indeed support it enthusiastically. At this time, I cannot.

THE DEPUTY SPEAKER:

Will you remark further on Senate Amendment Schedule "B"? Will you remark further? If not, all those in favor of Senate Amendment Schedule "B" indicate by saying aye. Those opposed? Senate "B" is ADOPTED, and ruled technical.

Would you remark further on the bill as amended by Senate Amendment "A" and "B"?

MRS. HENDEL (40th):

Mr. Speaker, will the Clerk please call Senate Amendment "C", LCO 8553 and may I request the Clerk to please read the amendment.

THE DEPUTY SPEAKER:

The Clerk please call and read Senate Amendment Schedule "C".

THE CLERK:

Senate Amendment Schedule "C", LCO 8553, offered by Senator Reimers, 12th district, Senator DeNardis, 34th district, Senator Gawrych, 30th district.

In line 10259, strike the words "department of"

In line 10260, strike the word "agriculture" and insert in lieu thereof "office of policy and management"

MRS. HENDEL (40th):

Mr. Speaker, this amendment is really very self-explanatory. It places the agriculture experiment station into the department of policy and management rather than in the department of agriculture and I move passage of the amendment.

THE DEPUTY SPEAKER:

The question is on adoption of Senate Amendment Schedule "C". Will you remark? Will you remark? If not, all those in favor of Senate Amendment Schedule "C" indicate by saying aye. Those opposed? Senate Amendment Schedule "C" is ADOPTED, ruled technical.

Will you remark further on the bill as amended by Senate "A", "B" and "C"?

MRS. HENDEL (40th):

Mr. Speaker, will the Clerk please call Senate Amendment "E", LCO 5881. Again may I ask that the reading of the amendment be waived and I'd like permission to summarize.

THE DEPUTY SPEAKER:

Would the Clerk please call Senate Amendment Schedule "E".

THE CLERK:

Senate Amendment Schedule "E", LCO 5881, offered by Senator Flynn, 17th district, Senator Sullivan, 16th district, Senator Cutillo, 15th district, Senator Rome, 8th district, Senator Gunther, 21st, Senator Murphy, 19th, Senator Ciarlone, 11, Senator Owens 22nd, Senator Morano 36th, Senator Martin 18th, Senator Santaniello, 25th, Senator Strada, 27th, Senator Ballen 28th.

THE SPEAKER IN THE CHAIR

THE SPEAKER:

Is there objection to the request of the lady from the 40th to summarize in lieu of Clerk's reading Senate "E"? Hearing no such objection, the lady from the 40th to summarize.

MRS. HENDEL (40th):

Thank you Mr. Speaker. Mr. Speaker, this amendment establishes a separate department for the commission of fire prevention and control by

removing the commission from within the department of public safety for administrative purposes only. I move passage of the amendment.

THE SPEAKER:

Question is on adoption of Senate "E" and will you remark? Will you remark?

MR. STEVENS (119th):

Mr. Speaker,through you a question to the lady reporting out the amendment.

THE SPEAKER:

Please frame your question, sir.

MR. STEVENS (119th):

Through you Mr. Speaker, could the lady give us some indication of the reason for the support of this amendment in lieu of the committee's initial action on this commission?

THE SPEAKER:

The lady care to respond?

MRS. HENDEL (40th):

Through you, Mr. Speaker, yes I'd be happy to. We've had three different proposals in the committee in relation to the commission on fire prevention and control. In our early draft of the bill, we proposed that the commission be abolished and that the function be given to the commissioner of public safety. As I referred before, we've done a lot of listening to the public and in listening, we felt that it was important particularly after the state police joined the public safety department which we think is a very positive move if we're going to have a commission on public safety in this state, we felt it was important due to their size that the fire

prevention and control council commission be within the department for administrative purposes only to maintain their autonomy and to maintain the quality of the work they have been doing and just begun. That was the proposal in the file that went to the Senate.

Our Minority Leader well knows an amendment passed in the Senate by a 19 to 17 vote which resulted in the removal of this commission and its establishment as a separate agency of state government. I'm not sure if I had a slip of the tongue before when I said I wasn't going to support amendments. I said I was going to support Senate amendments and I think its very important to the integrity of the reorganization plan that I hope we pass today that we keep the bill as we have it in the Senate. Every line of that bill was carefully thought out, carefully negotiated and we all have things in there that we'd like a great deal (record 4)
and we have some that we're not so sure of, but I think that we are well protected by the way the statute is drawn and I think it's important if we're going to pass this bill that we maintain the bill as it came to us from the Senate. We will have a chance during the interim to talk and during next session to talk over and work out some problems that may arise in other areas and I think that it's important that we adopt this amendment as it came to us from the Senate.

THE SPEAKER:

The gentleman from the 119th still has the floor.

MR. STEVENS (119th):

Through you Mr. Speaker to the lady reporting out the amendment, do you personally support the amendment before the House?

THE SPEAKER:

The lady from the 40th care to respond?

MRS. HENDEL (40th):

Through you Mr. Speaker, I'm voting yes.

THE SPEAKER:

The gentleman from the 119th has the floor.

MR. STEVENS (119th):

I also support this amendment and think it is one that improves the bill and in supporting it would just point out to the members of the House that to the best of my recollection, there were two legislative bodies in this building, a Senate and a House, co-equal in powers, co-equal in terms of office, and I thought, co-equal in terms of intelligence to judge amendments that came before each respective chamber.

THE SPEAKER:

Will you remark further on Senate "E"? If not--the gentleman from the 93rd for further remarks.

MR. STOLBERG (93rd):

Yes, Mr. Speaker, again I will not call for a roll call but I will oppose this amendment. It seems to be a highly political amendment to an otherwise relative apolitical bill, a bill that does consolidate and streamline state government. It's purely a political decision that has separated out one mini-operation and allowed it to separate itself from the reorganization of state government.

I do concur very much with the remarks of the Minority Leader, however, This chamber should do its will on any item that comes before us and to suggest that our decision should be dictated by either of the other chamber or by another branch of government is not only a disservice to this body but it's inconsistent with the rules of procedure that we follow. So, I would hope our votes would be based not upon dictation by the Senate but particularly in accord with Masons section 111, paragraphs 1 and 2 that we

would begin to restrain ourselves from remarking what is demanded by the Senate or by the executive branch and vote the way we choose on items before us.

Again, it may be a very lone voice, but I choose to vote against this amendment.

THE SPEAKER:

Will you remark further on Senate "E"?

MRS. OSLER (150th):

Mr. Speaker, I too am going to speak against this amendment. I think that to establish a small group like the commission on fire prevention and control with a small budget of only $170,000 some as a separate entity within our structure of government is somewhat ridiculous. I'm sure that my intent will not prevail but that this will be enacted but I hope-- I understand that even the firemen are beginning to have second thoughts since the Senate passed this last week and that they are sort of feeling dangling out in space and completely unrelated to such things as the fire marshall which is now within the public safety large umbrella department and are perhaps wishing that they had not been so hasty and had left themselves in that department.

However, I hope that this body and the Senate will next year look at these we are doing today with a littlebit longer look from perhaps a better perspective from a little distance away from it so that we can correct what, I feel, is a somewhat strange thing to do with the commission for fire prevention and control.

THE SPEAKER:

For further remarks on Senate Amendment Schedule "E", the gentleman from the 77th.

MR. WRIGHT (77th):

Thank you Mr. Speaker. I rise to support the amendment. I think its important that we take the billthat we have and it's already passed the Senate and pass it as is so that we can have reorganization started and if there is a mistake in this amendment, it can be corrected next year. I feel that perhaps this amendment is one of the worst amendments that you're going to be looking at today but sometimes you have to swallow hard if you want to achieve a greater good and I think that's what the reorganization of state government that we're seeing today is, a greater good. So I think we should accept the commission as the Senate has proposed it and next year we can perhaps and go back to the original suggestion of the committee which is to abolish it.

I was looking at the regulations, at the statutes, establishing this commission. They run about two pages. If we're going to have a state agency that runs two pages in the statutes, the establish minimum standards of health education for firemen and nobody can be hired as a fireman after January 1976 unless you meet their standards. The regulations for this were just adopted recently. I don't know what's happened. I support the amendment. It makes a good bill better because it's one that we can pass and get on with. If there's a problem with it, and I think there's a problem, we can correct it next year. I urge your support for this amendment.

THE SPEAKER:

Will you remark further on Senate "E"? If not, the question is on its adoption. All those in favor of adoption of Senate Amendment Schedule "E" will indicate by saying aye. Opposed? The ayes clearly have

it. Senate "E" is ADOPTED and ruled technical.

Will you remark further on the bill as amended?

MRS. HENDEL (40th):

Yes, Mr. Speaker. As Rep. Wright said, I think passage of these amendments makes a good bill better and I move adoptionof the bill, passage of the bill.

THE SPEAKER:

Will you remark further on the bill as amended?

MR. STEVENS (119th):

Thank you Mr. Speaker. I rise at the outset to speak in favor of the bill on reorganization of state government for I do think that it is an idea whose time has come and I hope that it becomes far more than simply an idea but that it delivers the promise that we all hope it has for delivering more efficient service to the people of this state. As a corralary to that though, there must be shown to the people as we put this into implementation that it will indeed not only improve efficiency but hopefully somehow limit the ever-increasing growth of state government which is reflected in the increased budgets and taxes to support that particular budget that we adopt each year. I think we have to approach reorganization carefully and perhaps at arms length because many of us do not know how the reorganization will indeed work out. It's going to impose upon this body in subsequent sessions a great deal of responsibility to make sure that reorganization is fulfilling the many promises that are offered here today as we speak in favor of it.

The bill before us is perhaps one of the longest that has been placed in our files in recent sessions. It runs some 422 pages and contains 20,107 lines. We have now adopted a Senate amendment, Senate Amendment

Schedule "A" that runs 30 pages and contains another 1063 lines.

The Senate in its wisdom saw good reason by a majority vote and indeed in two or three instances by a near unanimous vote to make some changes in the original 20,107 lines. There are going to be amendments offered here today that I hope would be judged upon the merit of the amendments. And it disturbs my sens of legislative responsibility, not as a Republican, not as a leader, but as a person who took an oath of office in this chamber in January of 1977 to be told to have guts, to be told to resist any amendment because passage of an amendment will mean the defeat of the bill. My phone has not stopped ringing today from people around the state who have called with a singular message--no amendments, it will mean the defeat of the bill. Who started these phone calls? Who are the people who are calling from around the state telling you and me, the lawmakers, that if we act in our wisdom, we're going to defeat the bill? If that doesn't bother you, it should. Now I don't care whether the amendment comes from that side of the aisle or this side of the aisle. For people outside the building to have their words echoed on the floor of the House saying, no amendments, it will mean defeat of the bill, is an insult to the Connecticut General Assembly. I do not believe that we should take that posture. If amendments fail today, let them fail on their merits, not because the law has been laid down from outside the building and repeated in the chamber, don't accept any amendments. That's a disservice to all of us.

There are parts of the bill that some people think need improving. There are technical errors which I do not intend to address myself to because I sincerely think that in the next session of the assembly, we can indeed correct the technical errors that you always find in a bill of this length.

But there are policy decisions to be made today of a substantive nature and those decisions should be made predicated upon what you think will best serve the people of this state who are presently receiving certain services or protection from a given agency in state government. And if we cannot improve upon either that protection or the delivery of those services, we should listen and act on amendments directed toward them.

Mr. Speaker, I would at this time ask that the Clerk please call and read LCO No. 9335.

THE SPEAKER:

Will the Clerk please call and read LCO 9335 which shall be designated by the Chair as House Amendment Schedule "A".

THE CLERK:

House Amendment Schedule "A", LCO 9335 offered by Rep. Stevens, 119th district.

Delete section 137 in its entirety and insert in lieu thereof: "Sec. 137. Deleted"

THE SPEAKER:

You have the amendment. What is your pleasure, sir?

MR. STEVENS (119th):

Mr. Speaker, I move adoption of the amendment.

THE SPEAKER:

Question is on adoption of House "A" and will you remark, sir?

MR. STEVENS (119th):

Yes, Mr. Speaker and members of the House, this particular amendment would retain in its present statutory position the existing commission on human rights and opportunities and it is an attempt to perfect what the Senate thought it was accomplishing in the adoption of Senate Amendment Schedule "A".

In Senate Amendment Schedule "A", lines 163 through 168, the Senate made certain changes in the existing file copy of your bill, to exempt the commission on human rights and opportunities from the co-terminous terms of the Governor and from the authority of the Governor to appoint the chairperson and the executive directors. The Senate thought and I wholeheartedly concur with the upper chamber in this instance, that that particular agency was an advocacy agency, and agency that was charged by state law very specifically with being a body to which individuals could bring complaints involving discrimination, whether or not that discrimination was practiced by private employers, municipal employers or the state itself.

The Senate amendment, however, did not accomplish that, and the reason the Senate amendment failed to accomplish that is that the Senate amendment retained the Governor's authority in 1979 to appoint seven of the members of the twelve person board. That means that the Governor of Connecticut in 1979 will, as one of the first acts in the first six months of the year, appoint the majority of the members of that particular board. That was not intended because that has the same result as retaining the power of the Governor to appoint the Chairman and executive director. The amendment now before the House corrects that and retains the agency as I think it should be as an autonomous one that does the job that we have seen fit to establish under the general statutes. It is an amendment which I believe improves the bill in a very sensitive area. And I wouldask you whether you agree all the time with the commission on human rights and opportunities or not to consider its duties and whether any Governor be it a Republican or a Democrat, should have the ability to instantly (record 5)
ontrol a sensitive commission such as that. In your collective wisdom

in the past we have said no. We have provided staggered terms that retained autonomy. The thrust of this bill is co-terminous terms with the chief executive. I can understand that and agree that it is necessary in the purely advisory boards so that a chief executive will indeed have the full responsibility of running the State of Connecticut but I would ask you whether that holds true for quasi-judicial boards that act in a function which is critical and that is discrimination against people in the State of Connecticut.

I think the amendment improves the bill. I do not think that it will result in its being defeated and I would urge the members to support it.

And, Mr. Speaker, I would ask that when the vote be taken, that it please be taken by roll call.

THE SPEAKER:

In furtherance of the motion of the gentleman from the 119th for a roll call vote on House "A", all those supportive of his motion will indicate by saying aye. In the opinion of the Chair, in excess of 20% of the members present and voting are in the affirmative, and when appropriate, a roll call will indeed be ordered.

Will you remark further on House Amendment Schedule "A"?

MRS. HENDEL (40th):

Mr. Speaker, I rise to oppose House Amendment Schedule "A". There is a basic principle in this bill that Rep. Stevens referred to that I'd like to briefly reiterate and that is that we have co-terminous terms with the Governor so that we can place responsibility and so that we can actually get things done and know who's doing what and in a fashion similar to what is done in the federal government. We didn't though just apply a

standard across the board as we tried to look at the different kinds of agencies, advisory boards and commissions,quasi-judicial, regulatory and tried to see what was the best way to handle those. So we made six exceptions to the co-terminous rule and I'd just like to briefly say which the boards and commissions were that we made exceptions. They are the state properties review board, special revenue commission, the board for higher education, the state board of education, public utilities control authority and the commission on human rights and opportunities.

We proposed the amendment in the Senate so that the commission on human rights and opportunities would maintain its own power to appoint its own officers and its own chairman. We left in the co-terminous effect but still provide for staggering because it was told to us that we should have on some of these boards staggered terms because with staggered terms it would benefit from some of the experience in some of these important areas. So we provide turnover that will happen like this. Initially, seven members would serve a term from July 1, 1979 to July 1, 1983, five members would serve a term from July 1, 1979 to July 1, 1985. After that, there will be seven member terms from '83 to '87, five members terms '85 to '89, seven members '87 to '91 and so forth. The sameturnover will result every two years. Seven member terms wouldbe co-terminous and yes, a new Governor would have a controlling number of appointments at the beginning of his or her term.

When we heard testimony from the commission on human rights, we listened very carefully and felt this was the best way to respond to their request. We also learned that they felt that now their executive director felt that presently, under the present system where he doesn'thave the support often of either Governor,that if he doesn't have the support of the

Governor while the board's been in existence, he isn't able to accomplish some of the things he'd like to do. We maintain that with support from a Governor where a new Governor would have the controlling number of appointments that if we had a positive program in human rights, such a program could be implemented and brought to the people in Connecticut.

I urge defeat of the amendment.

THE SPEAKER:

Will you remark further on House "A"?

MR. SHAYS (147th):

Thank you Mr. Speaker. I would like to ask the previous speaker a question or two please.

THE SPEAKER:

Please frame your first question, sir.

MR. SHAYS (147th):

Thank you. Would the lady please explain to me the signifance of the six exempted boards as to the Governor's ability to appoint?

THE SPEAKER:

The lady care to respond?

MRS. HENDEL (40th):

Through you Mr. Speaker, the six boards remain coterminous but they have staggered terms so that we can have some continuity in service.

MR. SHAYS (147th):

Thank you very much.

THE SPEAKER:

The gentleman from the 147th still has the floor.

MR. SHAYS (147th):

Mr. Speaker, I would like to speak on this amendment.

THE SPEAKER:

You have the floor sir.

MR. SHAYS (147th):

Thank you. When I was elected two years ago, I was one of 33 Republicans elected to this House and I was a freshman and because we had very few elected Republicans, I had the opportunity to serve as Ranking Member on human rights and opportunities. Now I'm Ranking Member of Appropriations but if you were to ask me which is more important, I would have to tell you that my service as Ranking Member on human rights and opportunities. And the thing that concerns me more than anything else that will come before us today is this amendment and if this amendment fails to pass what will happen. What will happen is that the Governor will gain political control of one of the most important agencies within this government. The Governor will have the majority of the members appointed to this board, this commission, and I plead with you to think about this. You may not have liked what the commission has always done but they have done what they should be doing and they have been bipartisan and they have been, in fact, non-partisan. We are going, in effect, to politicize this commission if we fail to adopt this amendment.

THE SPEAKER:

Further remarks?

MR. POST (62nd):

Mr. Speaker, I'd like to rise in support of this amendment. It seems to me that there is a fundamental policy consideration involved in this amendment which will apply to others as well.

In state government in the executive branch, there are several functions. One is to develop policy, a second is to implement that policy and

a third is to, in a quasi-judicial way, review the implementation of that policy to make sure that its been done in a fair way, much the way an arbitrator would review a labor contract or a state agency would have hearings to make sure that the laws of the state have been administered fairly and equitably.

I think that we should make those commissioners, agency heads, departments that develop policy in whatever field, education, transportation, what have you, co-terminous with the Governor and those that implement that policy again should be co-terminous with their terms, be co-terminous with that of the Governor. But those agencies which review the implementation, those agencies like the state labor board whose job it is to make sure that the laws are being administered correctly and fairly by other state agencies and the human rights commission which has a quasi-judicial role, it doesn't create policy, it is designed to review the implementation of that policy much like a court, and the people who serve on that board, like judges, should not have terms related totally to that of the Governor, any Governor. Their function should not be accountable to the Governor. They, like judges, their functions should be accountable based on the job they do implementing fairly the laws.

This amendment would make the human rights commission members, like judges, responsible to make sure that the law is being administered correctly. Other agencies that create policy, the people who serve on those boards and commissions should have terms comperable to that of the Governor so that when the Governor changes and there is new direction or new policy, it can be carried out by those state agencies and those commissions and those boards. The prime function of the human rights commission is not to create policy but to act in a judicial way to make sure that

that policy is carried out correctly, and this amendment will accomplish that and I hope that the House will support it. Thank you.

THE SPEAKER:

Are you prepared to vote?

MRS. MORTON (129th):

Mr. Speaker, I would like to echo the remarks of every one who has spoken on the other side of the aisle. What a strange thing that this language comes from you today. With the exception of Rep. Shays, not a one of you ever stood up on the floor and defended the human rights legislation that I attempted to pass in this House. I can't believe that you're so concerned about human rights today when you've never been concerned about them before. All I've ever gotten from you is, do we want to give them the power and now you're talking about letting them have the power. It's a political game and I'll go along with this side of the aisle.

MR. STEVENS (119th):

Mr. Speaker, I don't think that we should bring politics into this. That may well provoke laughter from both the floor and the gallery but I think the point is missed. We can disagree on bills. We can disagree on policy. That doesn't mean that we feel there should be places to turn for people who feel that their rights have been enfringed upon. I don't think that people just because they're Republicans or just they're Democrats are not concerned with human rights and I don't sincerely think that anyone in this chamber thinks that. The point that we are trying to make which is obviously being escaped is that you are structuring a government that is supposed to serve people here today and one can disagree with how certain boards and commissions function and indeed disagree with their

decisions. Many of us disagree with the decisions of many judges of this state. That doesn't mean that we would support on the floor of this House wiping out the courts and I think to indicate, as the lady from Bridgeport has just done, impunes the motives of many people in this chamber.

The principle involved here is whether or not you are willing to turn over to a new Governor control of a quasi-judicial agency. The chairlady of the committee made a statement which is not borne out by the bill nor the Senate amendment. She indicated that the Governor would not have the authority to appoint the chairman. I've said at the outset that that was what the Senate intended but they failed and I would direct any member of the chamber to turn his or her attention to lines 4395 through 4398 which were not amended by the Senate and which say, the Governor shall choose annually from among the members a chairman and a deputy chairman. The Senate did not amend out that language. It is still in the bill. Not only does the Governor have control through seven out of twelve but the bill specifically retains the language that the Governor shall appoint the Chairman. The amendment is an attempt to correct the errors that the Senate has made and retain the principle of an independent body.

THE SPEAKER:

Are you prepared to vote? The gentleman from the 62nd for the second time, correction, no for the first time. The Chair was right the first time, the gentleman is speaking for the second time.

MR. POST (62nd):

For the first time, Mr. Speaker, thank you for allowing me to speak for the second time.

Mr. Speaker, I would like to just address a comment or two to the

Rep. Morton for whom I have great respect. I think there are many people in this chamber who in many different ways have worked very hard to eliminate various forms of discrimination. I think each of us has as our responsibility here in this chamber, the task of drawing lines and balancing equities to try and determine how we can best accomplish that. It is fundamentally an attitude that we are dealing with when we talk about discrimination.

Personally, I served as the deputy commissioner of personnel for the state and worked very hard because I believe that the testing procedures and the promotions within state government were discriminatory and we made a major effort to change every test, every method of selecting employees and testing them for entry in the state service or promoting them in state service because the state was discriminating. (record 6)

It is our job here in this chamber to adopt policy. We've had brought before us a variety of different issues regarding discrimination, homosexuals, women in rights to get credit, bank red-lining and each of us here has to create in our own minds the balancing on policy. The point in the amendment is that once we've established that policy or the Governor is given direction for that policy, let us have a neutral person review that policy. Let us have a commission, whether we like what they're doing in various situations or not, let us have a commission which is viewed as neutral, the way the state labor board is viewed as neutral, the way any quasi-judicial board should be viewed as neutral and not depended on the change of Governors. A change of Governor with a change of policy should not change the job that the human rights commission does and I submit that we would be wiser to assure the neutrality of that commission, whether sometimes it offends us or steps on our toes or not, by not having its

membership changed whenever a Governor changes. And I submit that this amendment is designed to accomplish that and it would be to our advantage painful as it may be in certain cases to adopt that amendment. Thank you sir.

THE SPEAKER:

For the second time on House "A", the gentleman from the 147th.

MR. SHAYS (147th):

For the second time, Mr. Speaker, the message that was delivered to us by Rep. Morton is, if I look at the merit of the amendment, it has my vote but if I want to look at intent or something else and imagine certain things, I'm not going to vote for it. I'd like each of you to look at the merit of it and consider what this amendment will do. This amendment will protect the human rights and opportunities commission from political control. It makes sense. Rep. Morton knows it makes sense and I urge her with all my conviction to think about that and nothing else because you will make this a better bill if you vote for it.

THE SPEAKER:

Will you remark further? If not, will the members please be seated. Will the staff and guests come to the well, clear the members' area. The machine will be open. The Chair will announce an immediate roll call. Have all the members voted and is your vote properly recorded? If so, the machine will be locked and the Clerk will take a tally. Will the Clerk please announce the tally.

THE CLERK:

Total Number Voting.....139
Necessary for Adoption..... 70
Those Voting Yea.....58
Those Voting Nay.....81
Those Absent and Not Voting.....12

THE SPEAKER:

House Amendment Schedule "A" FAILS.

THE SPEAKER:

Will you remark further on the bill as amended?

MR. STEVENS (119th):

Mr. Speaker, the Clerk has an amendment, House Amendment LCO 8647. I would ask the Clerk to please call the amendment and to read it.

THE SPEAKER:

The Clerk please call LCO 8647 which shall be designated as House Amendment Schedule "B". Will the Clerk please call and read.

THE CLERK:

House Amendment Schedule "B", LCO 8647, offered by Rep. Stevens, 119th district.

Delete section 339 in its entirety.

Delete lines 18,967 through 18,969 in their entirety.

MR. STEVENS (119th):

Mr. Speaker, I would move adoption of the amendment.

THE SPEAKER:

The gentleman from the 119th has moved House "B". Will you remark, sir?

MR. STEVENS (119th):

Yes. Mr. Speaker and members of the House, House Amendment Schedule "B" would retain the Veterans Home and Hospital Commission as a separate agency under the reorganization of Connecticut state government. I would suggest to you that if you would take the time to read section 2, which is the preamble and the declared purpose of this act, you will find that the adoption of House Amendment Schedule "B" fits in with it. I'm making a special reference to lines 9 through 12 which indicate that the stated purpose of this act is to promote economy and efficiency in the

operation and management of state government to improve the quality and delivery of service to the citizens of this state.

The Veterans Home and Hospital Commission has existed since July of 1927 when it was first adopted by an act of this general assembly. It provides services to only one group of citizens in this state and they are the veterans of the State of Connecticut. It is the oldest Veterans Home and Hospital in the nation, having been formed some 112 years ago. And if one is talking about improving delivery of service to citizens, I would suggest that the first group of any citizens you should talk to in determining whether or not we're accomplishing that by reorganizing a particular board or commission is the group of citizens who are served and I would defy the members of the committee to tell this chamber that the veterans who are served by this commission do not feel that they are receiving efficient service. Indeed, just the opposite. They indicate-- Mr. Speaker.

THE SPEAKER:

Would the chamber please give its attention to the gentleman from the 119th. The gentleman from the 119th has the floor.

MR. STEVENS (119th):

Thank you, Mr. Speaker. Indeed the veterans of this state through their organized groups have indicated to all of us that they are receiving in their opinion the best delivery of service possible. They are receiving it from a commission that has governed them since since its inception.

It's interesting to note that the commissioners we would abolish under this act serve without pay and thus we are not effectuating any savings whatsoever to the State of Connecticut.

One of the concepts of the Filer Commission was for better service and no duplication of function throughout the various state agencies. There are no duplication of function in so far as this commission is concerned. It serves but one facility and thus the duplication argument does not hold water when you apply it to the Veterans Home in Rocky Hill.

I would ask you to give a special consideration to the fact that on the national level over the last couple of years, there have been repeated attempts by the federal government to take the Veterans Administration and incorporate it into the Department of HEW. The Congress in its wisdom has decided against each and every one of these proposals. What we are in effect doing here today is incorporating a function similar to the Veterans Administration on the national level into an overall state department that has many other interests, many other concerns other than the Veterans Home and Hospital. We're affecting some 350 patients and 560 residents in the home.

It's interesting to note that our Rocky Hill Home and Hospital has been rated by the National Veterans Administration as the lowest per capita cost facility in the world. Lowest per capita cost facility in the world. It presently costs $23.00 per day at the hospital. I'd ask all of you to compare that with the cost at nursing homes throughout the State of Connecticut in terms of in-patient care and ask yourselves, how can we conceivably improve an operation such as this. I would suggest that the adoption of House Amendment Schedule "B" will continue the services that have been deemed excellent by the people of this state who are receiving those services, will continue a cost efficient operation and that the adoption of this amendment does no harm whatsoever to the concept of reorganization but does a great deal for the men and women who are concerned

about the autonomy of that commission.

I would ask, Mr. Speaker, that when the vote is taken, that it be taken by roll call.

THE SPEAKER:

Motion for a roll call vote from the gentleman from the 119th. All those supportive of his motion will indicate by saying aye. In the opinion of the Chair, clearly a number in excess of 20% are in favor of the motion and when appropriate, a roll call will be ordered.

Will you remark further on House Amendment Schedule "B"?

MRS. HENDEL (40th):

Thank you Mr. Speaker. Mr. Speaker, the Veterans Home and Hospital Commission has been placed in the Department of Health Services for administrative purposes only. The commission will continue to govern Rocky Hill Hospital with the same quality, I'm sure, as it has done over these long years.

I'd like to repeat just for purposes of debate and clarification what administrative purposes only means because I can understand the concern of the veterans that perhaps they would be taken over by the Health Department since they are not familiar with the language in the bill. So please let me explain again that placement within a department for administrative purposes only does not mean that the functions of the agency would be administered by the department. Agencies attached to departments in this way would remain substantially autonomous, receive support services from the department. The agency, in this case the Veterans Home and Hospital Commission, will continue to exercise its quasi-judicial rule-making, licensing and policy-making functions independent of the department and without the department's

approval or control. It will continue to prepare its own budget and to hire its own personnel since they are presently authorized to do so by law and appropriation. They will also continue to act as a recipient agency of federal funds since they've had this designation prior to this reorganization act.

Mr. Speaker, it should be noted that by reducing the number of department heads accountable to the Governor, she or he will be better able to monitor the actions of her commissioners. So, in fact, I think that any move which could possibly occur, though that someone would think would occur, to take over the Veterans Home and Hospital Commission would be very very obvious and would certainly just not be able to be gotten away with. It would be statutorily impossible for the health commissioner to tamper in any way with this commission. The Veterans Home and Hospital Commission will retain all its present powers and duties as one can see clearly by examining the language in the bill. The bill says said commission shall (record 7) have the government and control of the Veterans Home and Hospital. The statutes regarding their powers and duties have not been changed. They will continue to, I'm quoting, "adopt and enforce rules for the management of the home and hospital and to procure, order, enforce discipline and preserve the health and insure the comfort of its patients. The commission shall appoint subject to the provisions of chapter 67 such officers and employees as are necessary for the administration of the affairs of the home and hospital and shall prescribe the relative rank, if any, of such officers and employees and shall commission each such officer who shall wear such uniform, if any, as is prescribed by the commission. Said commission shall have the sole power to determine whether such veteran is entitled to admission to the home or hospital. The commission shall have

sole power to remove any veteran. The commission shall determine the sum to be paid by such applicant."

There are benefits to be gained in placing the commission in the Department of Health Services. Our committee believes that a comprehensive approach to health care in Connecticut is imperative. The commission which has run exceedingly well will be in a position to share its expertise with other health officials. We feel this is very important.

In addition, we feel that every board, commission, council should be subject to legislative review through the sunset process. No commission is so special that it should not be made accountable to the legislature to show that it is indeed working effectively. The same theory applies to accountability to the Governor and the Governor and the legislature must be able to determine whether their policies are being effectively and efficiently carried out.

Mr. Speaker, I urge defeat of this amendment. I think the Veterans Home and Hospital Commission will be able to continue to operate the Rocky Hill Hospital at the same fine and high level that it has in the past.

THE SPEAKER:

For further remarks, the gentleman from the 139th, Rep. Edward Zamm.

MR. ZAMM (139th):

Thank you Mr. Speaker. Mr. Speaker, I rise to speak in favor of this amendment. And I do so hopefully in a non-political and personal manner. In order to do that, to impress you with thesincerity of my appeal, I'm going to ask you to bear with me for ust a couple of minutes so that I can get into a little bit of my background in the field of veteran's affairs.

After discharge, I gave about five years of my life to service among the veterans of this state which culminated in my election as the State Commander of the Veterans of Foreign Wars. Now that isn't a big deal. I don't want to impress you with that. But I want you to know that, for example, one year I travelled 30,000 miles just in this state working and dealing with the veterans. I went from Maine to Florida, from Washington to California, all over the country, and I want to tell you that one thing that I've learned is that the veterans know best what the veterans needs and requirements are. And I'm going to submit to you that by allowing the Governor to appoint a commission, only a majority of which will handle the Veterans Home and Hospital Commission, will take away from the veterans the control and the administration of this hospital. I don't think it's too much to ask to leave it right where it is. You know I'd like to say that I stand here to speak in behalf of the 75,000-odd organized veterans. I don't. I can tell you the veterans of foreign wars total about 33,000 in this state and I have it on good authority that I'm speaking on their behalf today. A representative of the American Legion, which is another 33,000 to 35,000 organized veterans, indicated to me that they would like me to speak in favor of this matter.

This is a good amendment. It's something the veterans want. I think Mrs. Hendel did a tremendous job in trying to put together all the requests and the requirements of the various pressure groups in this state but I want to tell you that this perhaps is the most important thing that you can do for the veterans of this state--just leave this commission where it is. It seems to me also if you might consider this, this particular amendment would keep the Veterans Home and Hospital Commission out of political control and I think this is what we want to eliminate. It might

also subject the Soldiers, Sailors and Marines Fund to political control and might more easily be gotten into and I see Mr. Groppo was impressed with that argument. There's a few million dollars in that Soldiers, Sailors and Marines Fund and we don't want to have that subject to political whim as well.

This is not going to hurt the bill. It's a good amendment. It's not a political pitch that I'm making. Let's do this for the veterans of this state. Thank you.

MR. SHAYS (147th):

Mr. Speaker, I'd like to ask Rep. Hendel a question, please.

THE SPEAKER:

Please frame your question, sir.

MR. SHAYS (147th):

Rep. Hendel, you spoke before this body and urged us to support Senate Amendment "E" involving the Commission of Fire Prevention and Control. You pleaded for support of this amendment. Can you tell me how this amendment essentially is any different than House Amendment "B"?

THE SPEAKER:

The lady care to respond?

MRS. HENDEL (40th):

Yes,Mr. Speaker. Through you Mr. Speaker, I think there are a couple of differences and one I want to point out very clearly. Until about three days ago, through our entire public hearing process and it's been lengthy, it's been publicized, and it's been very open, we never heard a single word from anyone on the topic of Rocky Hill Hospital or any concern expressed by members of this commission that in some way we were changing a service or threatening their autonomy or whatever it is that perhaps you perceive it

tp be. So in terms of how you handle something, our bill represents much input from many many people who came with worthy causes, with some that some of us thought were good and some that didn't. We never heard about this until a couple of days ago and the bill doesn't reflect it.

In addition, I think it's very clear that the services performed by the Rocky Hill Hospital are in no way affected by the bill and that, in fact, putting them in the Commission for Health Services will not hurt them but would help the coordination of all health services in this state.

MR. SHAYS (147th):

Through you Mr. Speaker.

THE SPEAKER:

The gentleman from the 147th for further inquiry.

MR. SHAYS (147th):

Thank you Mr. Speaker. According to the answer that you gave, Rep. Hendel, you have basically said the only difference is that you haven't received any political input as to separating any separation. But I would like to ask you in terms of the organizational structure, how is there any difference?

THE SPEAKER:

The lady from the 40th to respond.

MRS. HENDEL (40th):

Through you Mr. Speaker, Rep. Osler referred before to the size of the Commission on the Fire Prevention and Control and her numbers were quite accurate. But the difference here is that the Fire Prevention and Control has authority for training uniformed fire fighters and coordinating fire service in this entire state. It's not dealing with a single institution located in one town of the state, providing one kind of service. I think

there's a major difference and I think that's why I supported Senate Amendment "E" and I do not support this amendment.

THE SPEAKER:

For further remarks, the gentleman from the 36th, Rep. John J. Tiffany.

MR. TIFFANY (36th):

Mr. Speaker, a question through you please, sir. I would refer the Chairman to page 398 of the file copy, lines 18,967. As I read that, the Veterans Home and Hospital Commission is hereby abolished and I believe you said a few minutes ago that it would not be abolished. Would you please clarify that?

MRS. HENDEL (40th):

Through you, Mr. Speaker, I'd be happy to, Rep. Tiffany. That list there applies to agencies that are subject to sunset. The Veterans Home and Hospital Commission will be subject to sunset on a regular pattern just as the other 99 or so boards and commissions. It does not refer to their abolishment.

THE SPEAKER:

The gentleman from the 36th through the Chair.

MR. TIFFANY (36th):

Mr. Speaker, following that line of reasoning, I would have to assume that there will be a subsequent amendment that would establish these boards on some type of a pattern. Is that a reasonable assumption? As I read that, that whole list of organizations and commissions is hereby abolished unless you go to section 581 which says that they can be reinstated but they would have to have an amendment or a bill to reinstate them.

I would assume.

THE SPEAKER:

The lady from the 40th to respond.

MRS. HENDEL (40th):

Thank you, Mr. Speaker. Through you, the bill does provide a review process through program review with concerned substantive joint committees and to the Government Administration and Policy Committee. And in section 581, on page 404,beg your pardon, on page 405, section 580, section 582, it explains the process and it says, well it's section 583: Nothing in this act shall prohibit the general assembly from terminating a governmental agency or program prior to the termination date nor from considering any other legislation considering any such entity or program. In section 581, we say that any governmental entity or program scheduled for termination in section 573 of this act may be reestablished by the general assembly for periods not to exceed five years at the end of which the entity or program shall again be subject to review under the provisions of this act. Any such reenactment may provide for the consolidation of governmental entities or for the transfer of governmental functions from the entity of program to one another.

I think Mr. Speaker the thrust of the sunset program is this is how we're going to get some accountability in government. We're going to have boards and commissions come back to this legislature and indicate what they're doing and how well they're doing it. A board or commission that has performed as well as the Veterans Home and Hospital Commission may well be able to teach some of the other boards and commissions some things about how they ought to function.

THE SPEAKER:

The gentleman from the 36th has the floor.

MR. TIFFANY (36th):

Mr. Speaker, thank you. Speaking on the amendment and in support of the amendment, I still say that in reading those two sections together, in order to maintain the Veterans Home andHospital Commission, a bill or amendment is necessary.

In addition, I would only say that I have had several communications from Commander Beckwith whom I have known for many years as my service on the Public Personnel Committee and I must say that they date back more than several days. He's been concerned with this part of the Filer Commission study for several weeks, as a matter of fact. Again, I rise in support of this particular amendment.

THE SPEAKER:

Will you remark further on the amendment? The gentleman from the 139th for the second time.

MR. ZAMM (139th):

Thank you Mr. Speaker and just to conclude it all, perhaps I'm waxing a little sentimental but I neglected to remind you all that Monday is Memorial Day. Let's keep it in mind when we cast the vote. I'm serious about it. Thank you very much.

THE SPEAKER:

For further remarks, the gentleman from the 2nd, Rep. Nick Motto.

MR. MOTTO (2nd):

Mr. Speaker, members of the House, I too rise to oppose this amendment. I do it for a lot of the reasons that the Chairman of the Government Administration Committee has said. I do it because I think that it eliminates the Veterans Home and Hospital from the sunset laws.

which have been just mentioned and alluded to. I also oppose it because it--this amendment because it would be allowing the Veterans Home and Hospital to be completely autonomous. Even though they're doing an excellent job and they're doing all the things that they have been doing for years, the government reorganization bill does allow them to do the things under this bill that they've always been doing. It does not eliminate any of their powers. The commission still functions as it has been and will be on their own but it does need to be put under someone's umbrella and we elected to put it under the health services.

Mr. Speaker, I think that this amendment does something that the Minority Leader has has already alluded to, that if you're for government, good government, you're for reorganization, if we do our own thing in the House, then we do our own thing. We feel that this amendment is not good for this reorganization bill. (record (8)

THE SPEAKER:

For further remarks, the gentleman from the 25th, Rep. Julius Morris.

MR. MORRIS (25th):

Mr. Speaker, may I request permission to speak from a sitting position.

THE SPEAKER:

Is there objection to waiver of rule 16? Hearing no objection, rule 16 is waived and the gentleman may speak from a seated position.

MR. MORRIS (25th):

Mr. Speaker, members of the hall of the House, those of you that have been here for several years know I have never attempted to wave any flag or claim any rights by virtue of being a veteran. But today I must say

that I have plenty of experience as a veteran. I started to practice the law in New Britain in 1955. Being a lone practitioner, I had time to give and I did so. The records of the Veterans Administration in Hartford today will reflect that I was a service officer for the past twenty years, the first five or six years of which I gave one day each week from my office plus other hours here and there, but a whole day service, field service one day, or half day. I had a desk in the VeteransAdministration. I got too busy for that but I continued to receive collect calls, run errands for those helpless veterans who couldn't help themselves.

And I, for one, would never vote against a bill like this or an amendment like this if I thought it did anything for the veterans. I do not believe this amendment will do anything for the veteran. I don't think the $23 per day per capita mentioned by the Minority Leader has any bearings on it, 'cause I also belong to every major organization in the United States as far as veterans are concerned, VFW, the Disabled American Veterans, the American Legion, the Military Order of the Purple Heart, the Blinded Veterans Association, all nationally chartered, congressionaly chartered organizatins, among others. I have served and still am, most of them as officers, president, national president of two of these organizations, state commander of the Disabled American Veterans last year and like I say, I was in the service also. And I would never go for any legislation that would cast a stigma on any veterans group or commission or organization, hospital or anything else.

But the facts are that my little chapter, DAV Chapter No. 8, New Britain, Connecticut, has done more for the veterans in Rocky Hill than the whole damn other veterans groups in the state. And we know, I've done service over there, that they are not being treated right. They're not be

getting what they're entitled to get and whose fault? I blame nobody in particular but $23 a day is perhaps is well spent but it certainly does not do what they should be doing. Whether it's more money needed or more conscientious people working over there, I don't know. This amendment certainly would not do that. All this amendment would do, as far as I'm concerned, would classify them and put them in a position that indeed there'd be a stigma on it It's a stigma that I would ...

Let me tell you something else too. Nobody in the hall of this House or anywhere else never say that I waved a flag on being a disabled American veteran. I left this--I joined the United States Army at age 16 where I served in the European theatre. I left about twenty percent of my left hip there. The last thing I ever saw was the Statue of Liberty and that was on my way out. In 1945 when I came back, I came back on a litter. I stayed on that litter for some several months. Nobody--I never mentioned that in the hall of this House and hope I never will again. But anybody can accuse me of voting against this amendment like I've had a couple of people here do, not in the hall of this House but friends of friends and acquaintances, veterans organizations, they are absolutely wrong. I have never in the past nor do I intend in the future knowingly vote for any legislation that would adversely affect any veteran. But on the other hand, I'm not going to seek any legislation that will unduly classify them as a stigma or set them aside as being entitled to something that they're really not entitled to. In this case here, it's the first because I do not want to set them aside as being classified as something unusual as a freak or any other thing like that. I don't think this amendment would do that and, therefore, I vehemently oppose it. I think it has no place here and I truly and honestly believe that this is politically orientated and I resent

it very much.

Thank you very much.

THE SPEAKER:

Will you remark further on the amendment? The members please be seated, the staff and guests come to the well. The machine will be open. Have all the members voted and is your vote properly recorded? If so, the machine will be locked and the Clerk will take a tally.

The Clerk please announce the tally.

THE CLERK:

Total Number Voting.....144
Necessary for Adoption..... 73
Those Voting Yea.....53
Those Voting Nay.....91
Those Absent and Not Voting..... 7

THE SPEAKER:

House Amendment Schedule "B" FAILS.

THE DEPUTY SPEAKER IN THE CHAIR

THE DEPUTY SPEAKER:

Would you remark further on the bill?

MR. MANNIX (142nd):

Mr. Speaker, the Clerk has an amendment, LCO 8642. Would you please call the amendment and have the Clerk read the amendment?

THE DEPUTY SPEAKER:

The Clerk has LCO 8642 designated as House Amendment Schedule "C". Would the Clerk please call and read.

THE CLERK:

House Amendment Schedule "C", LCO 8642 offered by Rep. Stevens, 119th district.

After line 34, insert a new subsection (e), as follows:

"(e) In conformance to the purposes and policies embodied in this act with regard to increased economy and efficiency in state government, and as a standard of measurement for the effectiveness of this act, the total number of general fund state employees within the executive branch shall not exceed the level of the funded general fund positions for the fiscal year commencing July 1, 1977."

MR. MANNIX (142nd):

Mr. Speaker, I move the amendment.

THE DEPUTY SPEAKER:

Question is on adoption of House Amendment Schedule "C". Would you remark?

MR. MANNIX (142nd):

Mr. Speaker, before I give an explanation, may I ask that this matter be determined by roll call please.

THE DEPUTY SPEAKER:

The question is on a roll call vote on House Amendment Schedule "C". All those in favor of a roll call will indicate by saying aye. More than 20% have answered in the affirmative and a roll call will be in order.

MR. MANNIX (142nd):

Thank you Mr. Speaker. Ladies and gentlemen in the House, the ones that are left, stalwarts, first I would like to thank and salute Pat Hendel and Wayne Baker for an outstanding job and for answering all the questions that we're firing at her today. I think she's doing an excellent job.

Secondly, I'd like to note, however, also that there's a feeling in the House here that we're all up tight. I really fell this is an important bill but as you all know when you're an athlete, go out on the baseball field or football field, if you're nervous, uptight, if something

bothers you, you're not going to do a good job. I'm not exactly sure why but I think both sides are somewhat uptight. I'm not pointing the finger at either side of the aisle. I'm not sure why we are so uptight but maybe the reason is we think that we're not doing exactly the right thing, and when our consciences bother us, we get that feeling.

I believe this amendment has some merit and to you that have remained to listen to the presentation, I thank you, and I hope you take it very seriously.

In the first page of the Filer bill, File No. 898, if you'll open it up, you'll notice on page--on line 9 and line 15, there are two words that are used and that's the main thrust, the main reason in my opinion for this bill being before us today. It says to promote economy and efficiency. Now what does economy and efficiency mean? Well, I looked it up in the dictionary and I've come to the conclusion what they really mean here in the bill, that economy means in this particular context of this bill, means more output from the same staff. In other words, we wouldn't have to hire any more people yet we had more efficiency, we'd have more output. And the second possible connotation would be that we'd get the same output with fewer staff, fewer personnel, fewer state employees.

Now with that in mind, and I'm sure most of you haven't read it--haven't had the opportunity to read it yet the other shoe which has dropped is the Gengras Commission Report. I'm sure you're all familar with Mr. Gengras as well as Mr. Filer. This report just came out and if you would, I'm sure you don't have it, but on page 1, if you have it at your desk, if you turn to page 1, you will see a brief paragraph with some statistics under it which justifies, I guess, the title on the front page, the plan for more effective financial management. In these statistics, Mr. Gengras and his commission points out some interesting facts and I've

gotten some more statistics to give you a better rounded picture of what's happened in the State of Connecticut since 1950. Let me say this has nothing to do with inflation. In 1950, we had approximately two million citizens in our state. Today we have a little bit over three million citizens. During this period, let me say that that's about a 50% increase, roughly a 50% increase, during this period from 1950 to 1977 the number of state employees went from 17,500 to 43, call it 44,000 employees. 150% increase while the population only went up 50%.

Wll, you could probably and rightfully so argue that we've offered more services. I'm sure we have, perhaps we've offered them inefficiently and that's why we have this bill, correct. But something has happened in the State of Connecticut and I alluded to it several days ago which is a very important factor when you take into consideration this amendment and the file copy. Connecticut has ceased to grow. The last figure is one-half of 1% which is a no-growth position as far as population. And if you know anything about economics and if you know anything about the way our system works in this country and in this state, we've got to take this into account when we analyze state government.

The second point I'd like to make which basically is the reason for this amenment is that when you have a bill, you have to decide is there a need for it. We all agree there is. Does the bill meet the objectives or the needs. And the third thing which we can't seem to do in government very well and we do it in business, of course, is how do we evaluate if we're achieving what we set out to achieve. In business it's very simple. Take a look at your profit and loss statement, if you're making money and the profit increases, you're achieving the purpose for being in business. It doesn't happen in government.

This amendment, I believe, permits us to establish a benchmark, a guide to see if this mammoth change in state government is going to achieve what it must achieve. And what this amendment does, as you heard it if you paid attention to the reading of it, it puts a cap on the number of state employees. Now if we're promoting efficiency and economy, as (record 9) I said in the beginning, putting a cap on the number of state employees would seem certainly in order. Now, of course, next year the general assembly can come in here and with the Governor's recommendation or without it, increase the number of state employees. But we'll know, we'll know in our hearts that we're violating this yardstick because we don't need any more state employees if this bill achieves what it sets out to achieve--economy and efficiency. And I believe the cap is a very realistic a cap--realistic cap. It's a cap that is in our budget right now. Over 36,000 general fund employees in the state of Connecticut. They're funded positions in the next budget, the budget coming up. We can hire over 2,000 more employees more than we have now under the next budget.

Ladies and gentlemen, this is a realistic way for us and for the people in the state to evaluate if what we've done here today does the job, and it's a very important job to do if you consider we're in a non-growth, we're in a stable population situation in this state particularly in the northeast. Again I remind you, we can change it next year but by putting it in this bill, we are putting the benchmark up. I think it's worthy of your consideration and your vote. Thank you.

THE DEPUTY SPEAKER:

Will you remark further on House Amendment Schedule "C"?

MRS. HENDEL (40th):

Mr. Speaker, I think this amendment is very premature and limiting. I think it's totally unrealistic to cap the number of state

employees at this year's level, as related to this year's budget for all time. It doesn't take into account attrition. It doesn't take into account any growth in the state or any changing needs of programs. As I think we all have made clear here today that this bill does not address itselfto program. It does not deal with increasing numbers of state employees or with decreasing the number of state employees. This bill concerns a management plan for better government in Connecticut. I think, if I can refer the gentleman to page 17 of the Gengras Report, it says that statutory authority to implement the recommended changes will occur with passage of the government structure legislation by the general assembly. Then it goes into some discussion of the implementation plan, that is delineated in file 898. It is important that the flexability be maintained in the important departments of policy and management and administrative services so that purchasing, data processing and more importantly, personnel can have a major role in the policy making that effects them. As the important responsibilities of the director of personnel and labor relations are beginning to make themselves felt as she's beginning to deal with some of the planning that has to take part for programs in this state, she will need and the OPM and administrative services will need the flexability that they have presently.

I oppose passage of this bill.

MR. MOTTO (2nd):

Mr. Speaker, I rise also to oppose this amendment and I know Rep. Mannix always has a good amendment. In his anology, he said that we were tense, we were nervous like an athlete. But what he failed to do was to continue that a little farther because, like an athlete that's tense, that's nervous, this is a new bill. What he's doing is putting a

cap on it so that in any kind of reorganization, he's tying everyone's hands in a reorganization. What he didn't say was that 19% of all the state employees are funded from other sources and if we don't have employees to be able to put into federally funded programs, we have to turn back federal money. What he didn't say was that if we're unable to carry out programs that are legislated by us, then we have to be tied up or handcuffed so that we're not able to have any state employees available. Let us have some time in this reorganization to see what a cap is, see if this cap that has been mentioned is worthwhile but why do it prematurely. Let us wait. Let us get reorganized first and let us do it properly.

I reject this amendment.

MS. GOODWIN (54th):

Thank you, Mr. Speaker. I too rise to oppose this amendment. Sometimes I think the lack of experience on the other side of the aisle with the processes of a large bureaucracy are amazing. If you want more out of state employees, give them some incentives. That's what they need. Don't demoralize them further by telling them that when they're already working absolutely flatout they're not going to be able to get any help. If you want accountability in government, I think it is important that responsibility rests with that accountability; that there be flexability, that the manager should manage and not have the legislature try to manage for them.

I would also suggest that there is a very easy way to duck this kind of an amendment. All you have to do is hire a consultant and there are all kinds of ways around this kind of thing. I think all it does is to limit,all it does is to further demoralize without rarely achieving the baic management purposes of this piece of legislation. Thank you.

MR. MANNIX (142nd):

Mr. Speaker, a few comments, if I may. Rep. Hendel, I suggest to you, again page 1 of theGengras Report, first paragraph, last sentence, it says demands for expansion of state government services are continuing to grow while at the same time citizens are pressing for greater government accountability and reduction in taxes or a moratorium against further increases. I don't think this is premature, Mr. Speaker and members of the House, and I did a little research on a reorganization that was done in a southern state a number of years ago by a well-known governor. I understand from my research that after the reorganization was through, there were 30% more state employees and the cost of government went up 50%. Now is the time to set the benchmark. Now is the time to manage the state and set policy as we ought to as members of the general assembly. Thank you.

THE DEPUTY SPEAKER:

Would you remark further? Would you remark further on House Amendment Schedule "C"? If not, will the members please take their seats, will the staff and guests please come to the well of the House. The machine will be open. Have all the members voted? Have all the members voted? If so, the machine will be locked, the Clerk please take a tally.

MR. DZIALO (33rd):

Mr. Speaker, in the negative please, Mr. Speaker.

THE DEPUTY SPEAKER:

The Clerk please note.

The Clerk please announce the tally.

THE CLERK:

Total Number Voting.....144
Necessary for Adoption.....73

Those Voting Yea.....51
Those Voting Nay.....93
Those Absent and Not Voting..... 7

THE DEPUTY SPEAKER:

House Amendment Schedule "C" FAILS.

MR. STEVENS (119th):

Mr. Speaker, the Clerk has in his possession, seven more amendments, all of which I intend to withdraw. I'm saying that now so that the members who have so frequently been vacating the chambers will not have to do so once again. It makes no sense to stand here and talk to empty seats as each of the members on this side have had to do during the past hour and a half. I think it evidences a degree of discourtesy that I have not seen before in this chamber.

I support this bill, as I said at the outset, and will vote for it. I dislike greatly the fact that we have become a second class chamber of the Connecticut General Assembly. I think we have done a permanent disservice to a legislative body by taking the position as a majority party as you have today that the Senate is correct in everything it has done and that we as the House can make no changes. There's no question that there are problems in this bill. I've said it before and I'll say it again. The bill retains the power of the Governor to appoint the chairman of the commission of human rights and opportunities. LCO 8644 which has not yet been called would correct that because the Senate overlooked the section in the bill that gives that power to the Governor. But you're not interested because this is the House, not the Senate, so there's no point in calling that amendment. As a matter of policy apparently we have determined this chamber that the freedom of information commission andthe election commission are to become subseviant to the Governor, whoever that may be. I don't agree with that but

apparently you as a majority party feel because the Senate agrees with it, that we must accept it. So fine, take it that way. There are problems in this bill with the effective date. Do you know that by law the Governor of the State of Connecticut has to swear in all these many individuals two days before taking office and when you look at the effective date of this bill, you realize that the Governor is not yet the Governor. There are many technical problems.

And I'm grieved, not as a Republican leader in this House but as a legislator; one,that nobody listens, that everybody walks out of this chamber; and secondly and more than anything else, that for some unknown reason you have decided that the Senate is correct in everything they do andthat government reorganization is a Senate creation that cannot be improved by the House. It is absurd. The argument that has been put forth by the lady bringing the bill out that an amendment will mean the defeat of the bill is just nonsense. We are here until midnight on June 8, 1977. There are a number of bills on the calendar which are House bills. I would assume, according to the practice in this chamber, that a House bill on our calendar must be voted upon here and sent up to the Senate after one day of reconsideration lets it lie in the House. If the chairlady's argument is correct, would someone please tell me does that mean that every House bill on the calendar today and ones that will be on the calendar next week are doomed to failure. Of course not. But this is a pet bill, one created outside these halls, one ordained by people outside these halls that it cannot be changed and,therefore, it is an exercise in futility for us to sit here, to debate one another and to vote, a terrible exercise in futility and I would not impose upon your time. It's a hot afternoon and I'm sure that we can better things

than sit here and beat our head against the wall because the Senate has determined the form that this bill will be in.

Mr. Speaker,I would yieldat this time to the Ranking Republican on the committee, Rep. Clyde Sayre.

MR. SAYRE (68th):

Just a few comments on one of the amendments that I was going to offer concerning the elections committee, the freedom of information committee. We do have a very serious error there. As a member of the committee and I admit I do take some pride in authorship but I don't think that that should deter us from having a good technical bill. The Governor now stands to appoint the chairman, the executive director and the terms of the members on the elections committee. The one that would be looking at the Governor's own election each four years and ours and that of every person in municipal government. The elections commission is very carefully drawn to make sure that there is a bipartisan make-up of the commission and to make sure that one member which the Governor herself appoints is unaffailiated with any party. It also makes sure that no one has served a political office over the last three year period nor has held any political party office over the last three years. (record 10)

And to my fellow committee members, I would just ask that the committee next year in our review of the bill make this the number one item for reconsideration to redraft and correct this very glaring error.

At this time, I would like to yield to Rep. DeMerell.

MR. DE MERELL (35th):

Mr. Speaker, the Clerk has one other amendment which at this time I would like to withdraw. It is LCO 8649. I have the same profound feelings that were expressed by the Minority Leader in terms of the futility

of putting forward correcting amendments. I would, however, like to address myself to exactly where this particular amendment I just withdrew goes and I would also like to address myself to an earlier one which Rep. Stevens withdrew.

The first amendment which Mr. Stevens withdrew refers to line 19381 in this very small document and it deleted a section 36-23 which relates to the banking statute and it eliminated the banking commission which is a commission that consists of the banking commissioner, the comptroller and the treasurer of the state. Unfortunately in eliminating this commission, the committee only eliminated reference to the banking commission in this one section of the statutes and left it in the other applicable sections so that in some of your controlling sections, such as 36-53 which is the section which outlines how bank charters will be granted in this state for state bank and trust companies, we now have aprocedure which calls upon the banking commission to act and we have no banking commission so it should be quite interesting to see how we go about granting bank charters.and it also still stays in section 36-140 which refers to the merging of savings banks and that takes the banking commission but we don't have one so let us not worry about that any longer.

Then we have another interesting thing on the other amendment that I was going to offer and that is it would have repealed sections 154 and 155 of this particular document and this is a section, if I can find it again, excuse me Mr. Speaker I just lost it and I found it, Mr. Speaker this is a section of the statutes that refers to again the banking commissioner whereas its giving him certain authorities and I find this very strange because there is a recent bill that was before this House which is now Public Act 77-141 which covers this whole matter and

which gives the powers inherent in this particular section to the banking commission. So, in our wisdom, we are suddenly passing additional legislation that would give these powers to the banking commissioner. I'm glad to see that we're again striving for consistency.

I might also mention that we wanted to eliminate section 154 from this particular document. This is a section that would take some powers from the now defunct advisory commission council on banking matters and give it to the bank commissioner. Well, that's fine except we might remember that last year we established a banking committee for the recodification of the banking statutes and related statutes and this was to be a subject of review of that particular standing study committee but in the wisdom of this particular committee, they have made that decision and quite frankly it was one that certainly, the standing recodification committee was not prepared to take because it rather involved some strong powers having to do with setting of various banking interest rates and discount procedures.

But what I guess I'd like to point out, I think Rep. Sayre did, that there are some very glaring inconsistencies in this particular document and I think the unwillingness of this chamber to address themselves to it is quite unfortunate. I would hope that come next session that where these particular inconsistencies occur and we can just hope that nobody files for bank charter in the interim because then we won't have to worry about that, I would hope that where the inconsistencies occur that you would be willing at that point to address yourselves to them.

I would like to yield now to Rep. Osiecki.

MRS. OSIECKI (108th):

Mr. Speaker, we also have an amendment which is being withdrawn at this time concerning section 15.Because it's being withdrawn, I'd like

to ask the proponent of the bill some questions please.

THE DEPUTY SPEAKER:

Please proceed.

MRS. OSIECKI (108th):

Rep. Hendel, would you please, I realize the bill is going to pass but I would like to ask some questions please for legislative record. Rep. Hendel, would you please tell me under the bill, section 15, line 320, January 1979, the convening of the Connecticut General Assembly, would you please tell me how the appointments will be made to the government administration and policy committee which is now under this bill a permanent statutory committee.

MRS. HENDEL (40th):

Through you Mr. Speaker, appointments to the government administration and policy committee will be determined by the joint rules established by this body or by it.

MRS. OSIECKI (108th):

Through you Mr. Speaker, Rep. Hendel if you are reelected would you expect to be made chairman of that committee in 1979?

MRS. HENDEL (40th):

Through you Mr. Speaker, good Lord, I don't know and I'm not sure.

MRS. OSIECKI (108th):

Thank you. I'm not sure either and I think it's regrettable that we lock into statute at this time, for the first time, a committee which does not deal with fiscal matters, that will have an entirely different make-up than the very independent committee on program review, the committee on ethics and the committee on regulations review which,

by statute, are recognized to have the interest of the entire assembly and the people of our state at heart. What we're doing with this bill in line 320 is saying that henceforth government administration and policy committee shall be a permanent committee. It shall be partisan as all committees are, depending on who's in the majority and who's the Governor. There is no allowance within this section for representatives from the House or Senate equal or from both sides of the aisle. I believe if this committee is going to be locked in in a partisan way, Republican or Democrat in 1979, that it would be unfair then to ask it to work with the program review committee which is equally split between two parties.

I oppose this section. I expect to vote for the bill but I hope the committee, during the interim, will perhaps present something to the general assembly which is more equal and which allows all of us to share in the reorganization of state government.

THE DEPUTY SPEAKER:

Will you remark further?

MR. SHAYS (147th):

Mr. Speaker, I was to introduce one of the amendments, LCO 8570. I withdraw that amendment. I would like the courtesy of explaining what this amendment would have done.

Members of the House, in the wisdom of the committee, they reported out a file copy this large and they worked very hard on it and there's a section 590 and I'd like Rep. Hendel to explain that section as it came out of the committee. It's on page 407 of the original file copy.

MRS. HENDEL (40th):

Through you Mr. Speaker, thank you for the reference Rep. Shays,

you're discussing the reference to the effective date, Rep. Shays?

MR. SHAYS (147th):

Section 590, correct.

MRS. HENDEL (40th):

Ok. As we all know, we voted in Senate Amendment "A" to change the effective date of this act to January 1, 1979.

MR. SHAYS (147th):

Excuse me. I just would like to rephrase my question.

THE DEPUTY SPEAKER:

Please frame your question again, Rep. Shays.

MR. SHAYS (147th):

Thank you. I would like the representative to explain in the original file copy as it is on section 590, not the Senate Amendment "A".

MRS. HENDEL (40th):

Through you Mr. Speaker, the time the committee prepared the file copy, and I noted we're all aware that we've had a great deal of input into the planning of this bill, we were concerned all along with the implementation problem. There were concerns all along that if we didn't allow ourselves the time to put our new policy in management office and administrative service office into effect, if we didn't have time to clear up some of this technical kinds of problems that Rep. Sayre mentioned and others which I'm sure are in the bill, we would have found that we would have had a bad program working for this state and that's not what we want. We want a program that's going to work effectively and that's going to work right. In our studies of other state reorganizations, we found that the place where most of them went wrong was in planning too early an implementation. It's tempting, it would be good to get it off the ground

but it didn't work, so we extended the implementation time to January 1979 so that we could do a much better job and put in place the offices, put in place a budget which would effect any changes that are necessary, plus or minus, because remember we don't know what those changes will be, and we wouldbe able to plan for that in the next fiscal year. It gives us the next session to clean up technical amendments where necessary and I think it will make a much better bill and that's why we propose the amendment.

MR. SHAYS (147th):

Mr. Speaker, through you I would like to repeat my question. I would like to ask what section 590 would have done had it remained the same and not been amended. I did not ask for any explanation of Senate Amendment "A".

MRS. HENDEL(40th):

To review sections, through you Mr. Speaker, I'm sorry, to review sections 546 to 548 which are exempted, there is an implementation plan (record 11) there that applies specifically to a human service reorganization commission and there is a whole schedule worked out in that section that says that on certain dates reports have to be made to appropriate committees of the general assembly so that a plan can be put into effect. That's how the plan is going to be coordinated and consolidated andthat's where it is going to be some legislative oversight.

MR. SHAYS (147th):

Mr. Speaker, I still do not feel that question was responded to. I'll take it by this line. I will repeat, in section 590, This act shall take effect July 1, 1978 except that section 546 to 548 inclusive and section 588 shall take effect from their passage and sub-section (a) of section 18 and section 62 shall take effect on October 1, 1977. On

October 1, 1977 what will take effect, Rep. Hendel?

MRS. HENDEL (40th):

Through you Mr. Speaker, on October 1, 1977, two newdepartments will start their operations. One is the office of policy and management and one is the administrative services department.

MR. SHAYS (147th):

Thank you. Through you Mr. Speaker, did Senate Amendment "A" change this part of the section?

THE SPEAKER IN THE CHAIR

THE SPEAKER:

The lady care to respond?

MRS. HENDEL (40th):

MRS. HENDEL (40th):

Through you Mr. Speaker yes. For purposes of clarification, Senate Amendment "A" does not effect the implementation dates for the office of policy and management and for the administrative services.

MR. SHAYS (147th):

Thank you. What takes effect July 1, 1978 as provided in this file copy without Senate Amendment "A"?

THE SPEAKER:

The lady care to respond?

MRS. HENDEL (40th):

Through you Mr. Speaker, the reference to July 1, '78 has been changed in Senate Amendment "A" to January 1, 1979 which is when the other 21 departments will take effect, the legislation affecting them will take effect.

MR. SHAYS (147th):

Rep. Hendel, this amendment--this statute came out of your committee

as written in this file copy. Now I would like to ask you why theSenate changed it.

MRS. HENDEL (40th):

Through you Mr. Speaker, Senate Amendment "A" was prepared, notwithstanding some comments to the contrary, with the help of members of this House and members of the Senate on a bipartisan basis as we tried to perfect a bill that we had submitted in the file and which was prepared on April 20th. We felt that there were lots of questions that needed answering in terms of some of the technical amendmentsand we wanted to put ahead the implementation date of certain departments where we would find it would work much better so that we would not disturb or disrupt the delivery of services in this state but that there would be a very smooth transition. That's why we proposed the amendment that was passed by both the Senate and the House.

MR. SHAYS (147th):

Thank you Rep. Hendel. Mr. Speaker.

THE SPEAKER:

The gentleman from the 147th has the floor.

MR. SHAYS (147th):

As this act was reported out of committee, the effective dates were October 1, 1977 and the full bill of reorganization would have been implemented July 1, 1978, the start of a fiscal year and also the last six months of the present administration and it seems very logical that this is the way it should have been done and this is what my amendment would have done to keep it the same as it is in the original file copy. Now we have been told that there is a real commitment to reorganization

on the part of this administration and on the part of this legislative body and I submit to you that there is not that commitment if, in fact, we had, and we have, accepted Senate Amendment "A". It's rather ironic that Governor Grasso has said that she is committed to reorganization when in fact the bill will take effect when her term of office has ended. It's rather ironic that we are going to reorganize a government in the middle of a fiscal year because of Senate Amendment "A". Just think of how it's going to work out next year. The Governor submits a budget based on certainly the organization as it exists with all the departments that we have right now. That budget will be reviewed by the appropriations committee and we will have all the various department heads, agency heads, some of these boards and commissions come before us. They won't have been reorganized by then and they will submit to us their budget request and the general assembly in their wisdom is going to say yes you need so much money. We're going to take a little money away from here. We're going to add a little here and that makes sense but then halfway through the fiscal year, we have reorganization. We eliminate a lot of those boards and commissions. Now what budget do they use? Well, what happens is that we have to refer to section 4-39 and that section deals with reorganization and I'd like to read it to you. "The Governor shall determine the amount of any appropriation or any appropriations granted by the general assembly to any department, institution or agency for the financing of functions, powers or duties which are transferred or assigned under the provisions of any act of the general assembly and shall have full authority with the approval of the finance advisory committee to transfer any such amounts to the department, institution or agency to which any such function

power or duty is transferred to assigned."

Now the title of this section is Transfer of appropriations upon transfer of departmental duties. We have gone under a major reorganization and based on the Senate amendment right in the fiscal year. This means that the finance advisory committee is going to be able to make any transfer of fund that they wish and the general assembly will have nothing to do with it.

I intend to vote for the reorganization but I can tell you that the way the Senate has changed this bill and the fact that it will take effect January 1st has said two things: it says we're going to screw up our budgetary process like you won't believe and it says another thing. It says Governor Grasso is committed to reorganization when she's not around to deal with it. It seems to me it would have made a lot more sense to take department heads who have worked with this department for three years and attempt to work together for reorganization. They can attempt to implement it for six months and a lot of these people will have different titles but it will be the same basic people. Instead a new Governor, it may be a Republican, it may be a Democrat, it may, in fact, even be Governor Grasso, probably, possibly, but who knows. The point is, the point is that she in effect is not committed to reorganization if she signs this bill with this effective date and anyone who's on appropriations must realize what is going to happen to the budgetary process. It's not going to mean anything when a department head comes to us and says he needs this amount of money because in six months he won't be that department head. We might as well next year have the Governor submit a two billion dollar budget and we might as well because in effect that we are going to be doing, we might as well say, Governor

Grasso, here's two billion dollars, implement it any way you want because, in effect, that's what's going to happen. I have to tell you that before the debate on this, I spoke with a very esteemed member, a Democratic member of GAP and I said I think we have some good amendments, one or two are a little political but most of them are very decent amendments that will improve the bill and I think maybe one or two might pass if you really listen to it. And this person told me, we're not going to listen. This bill is perfect just the way it is. And then I said, well, there's a Democrat who has an amendment and I think he has a very good amendment and that person said I listened to that amendment and if I thought it was any good, it would have been in the bill. And I said to that person, you mean to tell me that you alone have the authority to say what's in and out of that bill and that person didn't answer the question.

But think about Senate Amendment "A". A few people got together and agreed that Senate Amendment "A" was a good amendment and now we have to live with it and it was partially good but it wasn't as good as it could have been and I wish with all my heart that you had listened to some of the other amendments and instead of being political you would have dealt with them on their merit. And then I could have introduced this amendment and you could have really thought about the effective date.

THE SPEAKER:

Further remarks?

MRS. PARKER (31st):

Mr. Speaker, thank you Mr. Speaker. I rise to oppose this bill. I am in favor of reorganization and was going to vote in favor of it this afternoon. But I am also in favor of the legislative process. Today we have

not seen the legislative processes at work, rather the closed minds of the few who have had the courtesy on the other side of the hall to remain seated and those who have left the hall have proven to me that it is useless to reorganize the executive branch. Useless as long as the legislative branch is motivated by political forces and acts as puppets to the wishes the few. Then we are wasting our time trying to reorganize the executive branch.

Thank you very much.

THE SPEAKER:

For further remarks, the gentleman from the 80th.

MR. MIGLIARO (80th):

Thank you Mr. Speaker. I rise in opposition to the bill for many reasons. I believe we do need reorganization. There's no question but I think the inequitites in the bill speak for themselves. I think the concerns of the veterans, the concerns of the firemen in the State of Connecticut, the concerns of CSEA employees and many other areas should tell us all something; that there are problems with the bill and they're just arbitrarily accepted.Because the Senate says so, doesn't make it good. I think good legislation has to have input from both sides. Because this bill lacks that very thing, input from both sides, I think it speaks for itself as well. And on those basis, Mr. Speaker, I will vote against the bill.

THE SPEAKER:

For further remarks, the gentleman from the 93rd.

MR. STOLBERG (93rd):

Mr. Speaker, I would yield, Mr. Speaker, to the gentleman from the 144th.

THE SPEAKER:

The gentleman from the 144th.

MR. SERRANI (144th):

Mr. Speaker, let me just say that at the outset that I'm 100% behind 95% of the bill. It's the remaining 5% that concerns me 90% of the time.

Mr. Speaker, the Clerk has an amendment, LCO 7923.

THE SPEAKER:

The Clerk please call LCO 7923, House Amendment Schedule "D".

THE CLERK:

House Amendment Schedule "D", LCO 7923 offered by Rep. Serrani 144th district.

MR. SERRANI (144th):

Mr. Speaker, may I be permitted to briefly explain--summarize the amendment.

THE SPEAKER:

Is there objection to the request of the gentleman from the 144th for summarization in lieu of the Clerk's reading House Amendment Schedule "D"? Hearing no such objection, the gentleman from the 144th firstly to summarize.

MR. SERRANI (144th):

Mr. Speaker, this particular amendment addresses itself to section 549 beginning on line 18,241 and located on page383 of file copy 898. Specifically speaking, the section dealing with the department of transportation internal reorganization.

I think it's important to note that the amendment addresses itself to a section of the bill that was not part of the extensive Filer Commission report. In fact, he Filer Commission did not think it advisable

to make recommendations with respect to the internal reorganization of the Department of Transportation so why is this section included? It's included because the Department of Transportation saw an opportunity to get an internal reorganization passed by this legislature by attaching the legislation to the reorganization bill and thereby assuring its passage through the coat-tail effect created by the momentum of the reorganization hysteria within this state. You might say they slipped the section into the bill like a piece of baloney between two pieces of bread. I can buy the bread and I hope that I can this afternoon, but I won't take the baloney.

This particular section which I am seeking to amend was not part of the Filer report, was not scrutinized over the period of time that the other sections of the bill were scrutinized. This was a last minute attempt to ride the wave of reorganization but though an internal reorganization of the Department of Transportation.

Getting down to the particulars of the amendment, this amendment recognizes the fact that mass transportation and individual transportation must be balanced in terms of the way the State of Connecticut addresses the problem of getting people to and from their places of employment, their leisure and their shopping. In short, it establishes within the Department of Transportation two bureaus: the bureau of highways, the bureau of public transportation, giving each its proper attention. Each bureau would have its own planning division and each bureau would share the combined technical support services of engineering, design, construction, traffic and the rights of way. The importance of this particular amendment is that the public transportation bureau would have its own planning and this is crucial to any kind of mass transportation planning for the future of Connecticut. We need people who are qualified with urban mass (record 12)

transportation backgrounds, with education in moving masses of people from point to point.

The two most important points the amendment establishes are one: it maintains a statutory reference to public transportation and insures legislative control of the department of transportation. It creates separate planning functions under which the bureaus--based upon the premise that highway planning and mass transportation planning are really two distinct and different modes of transportation with two different, distinct required applications and two different and distinct criteria in which employees shouldbe hired to carry out the economy of functions.

Of course, the fact that the two bureaus would remain within the Department of Transportation would not preclude them from working together with the two particular modes out of necessity where required to coordinate themselves with respect to integrated and intermodel forms of transportation systems.

This amendment establishes clear-cut responsibility by mode and by personnel. The bureau of public transportation is responsible for mass transportation including rail freight, rail passenger, buses, aeronautics, waterways and parent transportation. The Highway Department would be responsible for highways including construction and maintenance. In terms of personal accountability, the bureau chiefs of the two respective bureaus, namely public transportation and highways would be accountable to the commissioner. The commissioner would be accountable to the legislature and the governor and of course the legislature and the governor are accountable to the people.

Maybe somewhat over-simplified but I think crucial to the entire process and imperative. This amendment, as I said, establishes clear lines

of responsibility and accountability which the file copy section does not. Under my proposal, there isestablished a built-in balance or intended balance on paper with an actual balance being determined by the commissioner of transportation who is, of course, accountable to the legislature. Taken--important under this amendment is the fact that if there is an imbalance between the two modes of transportation, it will indeed show and if there is balance, that also will show. Imagine, if you will, the two bureaus as balancing plates on a symetrical scale. At present, the balancing plate for highway bureau would drop from the weight of gravity from the number of employees working in the highway aspects of our transportation department. The bureau of transportation under this proposal would fly to the top with the lack of weight because of the lack of personnel dealing with public transportation.

The amendment that I am proposing would clearly show the imbalance and I think we should be cognizant of the imbalance. We would clearly see the imbalance or balance if this amendment is passed. Under the file copy, all transportation personnel would be assimilated under three bureaus, operations, engineering and planning. What kind of operations? What kind of planning? What kind of engineering? You and I will never know what emphasis the department is placing on highways or on public transportation under the file copy. You and I will never know who's being hired to perform which duties and which mode of transportation. You and I will never know the extent to which public transportation is being addressed because the file copy does not statutorily mandate that the legislature know what's going on with public transportation.

And what then do we tell our constituents? I think that the legislature--legislative overview of the department of transportation is the

most important thing we should consider this afternoon. Are we going to control the direction of department or are we going to let whoever is commissioner determine that direction? Let me just add parenthetically, Mr. Speaker, I think our commissioner that we have at DOT today is one of the best, the most respected.

Some of us said thatif things don't go well in the file copy system, well we can hold the commissioner accountable. First of all, how many times have we, in this legislature,held anybody accountable for their actions as commissioner? The fact is in the last five, seven years the department of transportation has been in existence, we've had five commissioners of transportation and when you go to try to hold someone accountable, he or she will hold up his arms and say, well, you're not really giving me a chance. I just started. I just got the job, because we have such a great overturn in the department.

More than ever before, we need a department of transportation that is responsive to the needs of public transportation. More than ever before, we as a legislature in the midst of an energy depletion are required to carry out public mandate and provide adequate and available transportation. The future of public transportation for the state of Connecticut is in our hands today and quite likely the future economy of the state because if you can't get to your job, if you can't get the fuel to run your automobile, you're going to be out of luck and that big bright beautiful building down on Wolcott Hill Road in Wethersfield, the one they call the department of transportation may just end up being, for all intents and purposes, the department of labor and the department of commerce all rolled up into one.

My amendment, quite frankly, is one minor step forward. The department of transportation file copy for the internal reorganization of the

department of transportation is a major step backward. I urge passage for this amendment, Mr. Speaker, and I'm prepared to answer any and all questions from any member on this amendment or the particular section to which I am offering the amendment.

THE SPEAKER:

And does the gentleman move adoption of the amendment?

MR. SERRANI (144th):

I would move for the adoption of the amendment, sir, and I would just add as my last comment--

THE SPEAKER:

To speak on the amendment, the gentleman from the 44th has the floor.

MR. SERRANI (144th):

In the immortal words of William Shakespeare, the devil hath power to assume a pleasing shape and perhaps out of our weakness and our melancholy he abuses us to ... and like the ghost of Hamlet, if this section is passed, it will come back to haunt us.

THE SPEAKER:

For further remarks on HouseAmendment Schedule "D", the lady from the 40th assembly district.

MRS. HENDEL (40th):

Thank you Mr. Speaker. Ladies and gentlemen, as you're well aware, even if it was only a small part of the bill that you can be sure with Rep. Serrani on the committee, he manages to spend a lot of time talking with committee members at meetings and bringing in people to testify in support of his position. And he made his point quite clear.

We considered it very carefully, Mr. Speaker, and we chose to take the route that we have in the file copy for what I believe is a very good reason. I just want to say that I respect and I think probably most of us do Mr. Serrani's concern for public transportation in this state and I couldn't endorse his ideas as to their importance any more heartily than I do. However, I think, if I can respectfully disagree, Rep. Serrani is in error when he makes two comments. First, he suggests that this is not the Filer recommendation. Well, whether it is or isn't isn't related to what we do here today and what our committee has done in the past five months. We have a legislative committee bill from which we've taken a lot of concepts from the Filer Commission and from other studies on state reorganization and into which we put a great deal of our own thoughts and ideas. The fact is, however, that the Filer Commission and file 898 made a very strong point that we ought not to have departments with mandated divisions. As you know, we made a major exception of that withpersonnel for very obvious reasons but other than that, we have not mandated divisions in this state.

Now, in transportation what we've done with the DOT is really very minimal as compared to some of the changes in other departments. DOT did have these six and presently have the six mandated departments. We chose not to mandate departments in DOT to be consistent with the rest of our concepts that DOT ought to deal with various important functions of transportation. Out of respect and concern and being convinced by Mr. Serrani of the importance of mass transit, we did have some changes in the statutes that deal with the powers and the responsibility of the commissioner of transportation. We added, for example, in line 18258 that the commissioner

should have the power, duty and responsibility to coordinate and develop comprehensive integrated transportation policy. We talk about energy conserving system of highways, mass transit and so forth, as we describe the functions, duties and responsibilities, we do not mandate divisions here and I believe we're consistent with what we've done in the rest of the bill.

We, in this general assembly, have probably been remiss for a long time in not really supporting mass transit and we have a couple of options open to us. One is, if we really want mass transit and public transportation, we have some things we can do through our own budget process. If presently or any other time we have a commissioner of transportation, since this is what we're talking about now, who really didn't care about mass transit but he's mandated to set up a division, he can claim that he's taken care of it. He's got an office that says so on the door. If you want a commissioner to really deal with mass transit, fuel conservation programs and what have you, let's give him the mandate to do it and let's follow up on it and make sure that he's doing it. That's the way to get it. Another way is that in our executive reorganization bill, in the office of policy and management, we do have a function there of intergovernmental finance and grants and I know that Connecticut on its own and certainly not through our budget is going to be able to address fully the question of mass transit. So again, having a better planning procedure which we will have with passage of this bill, I hope we'll be able to address the problems and I urge rejection of the amendment.

THE SPEAKER:

For further remarks, the lady from the 133rd assembly district.

MRS. WILBER (133rd):

Thank you very much, Mr. Speaker. Speaking in support of the amendment, Mr. Speaker, I would say that the problem is accountability as Mr. Serrani has pointed out to us. It is the problem of public transportation not being in the forefront of the department of transportation's thinking and I do not mean to criticize Commissioner Shugrue specifically. This has been a problem for many many years and it is a problem because what little public transportation department there is is overbalanced by an old-time highway department.

Rep. Serrani's amendment distinguishes a separate department of public transportation or mass transportation, if you will. It will give the people in this state, the state representatives, the state senators and even the Governor a place to go to ask about public transportation. If we go on with Commissioner Shugrue's approach to the reorganization of the department, we will never again be able to figure out who is responsible for public transportation. We can't really do it very well now but at least we have knowing people that are supposed to be of that department. Nine, imagine nine. In the future, we won't even be able to tell which half a person, which quarter of a person, which eighth of (record 13)
a person is supposed to be responsible for public transportation and it is a very, very serious problem. Any of you who have ever tried to deal with the department of transportation and talk about transportation planning and public transportation planning and public transportation alternatives have got to know that it is a serious, serious problem. A great deal of money is spent in that area, state money and federal money, but the lack of planning is so noticeable as to be shocking. Recently I asked the Commissioner what he considered planning, how he would define the word planning and his answer was engineering. Now those of us who have been concerned about public

transportation have thought that the word planning meant future planning. Apparently it does with highways. You can always find out in this state what the number of cars on the turnpike or on the Merritt Parkway whatever it is will be in the year 2050 but you can't figure out what the public transportation planning is for next year.

Mr. Serrani's amendment would,I think, give us the direction to go find out questions like that to encourage planning. Mr. Speaker, I would like to ask a roll call on this amendment please.

THE SPEAKER:

The motionof the lady from the 133rd is for a roll call vote. All those in favor of her motion will indicate by saying aye. In the opinion of the chair, 44% have supported the lady's motion. When appropriate will be called. The lady from the 133rd still has the floor.

MRS. WILBER (133rd):

Thankyou very much, Mr. Speaker. I just want to conclude by saying that I support this amendment strongly.

THE SPEAKER:

For further remarks, the lady from the 54th.

MS. GOODWIN (54th):

Thank you Mr. Speaker. I make no pretense of being a transportation expert. I do support the principle in the filehowever of not defining internal management structures at least in the initial stages. I think what Rep. Hendel said about the ways of getting around this kind of thing are very obvious. I think if you want people to manage, you should let them manage and with the direction that you get from the central leadership. I know there are problems in the department of transportation and I think they come more from the deadhanded history on that department than they do from anything

else. Well the deadhanded history has a way of kind moving off over time and I think overtime, this is a correctable problem. I would add that I think, I may be wrong about this, but I would suggest that one of the major problems with public transportation is not so much a lack of planning, although I'm sure that exists, not so much a lack of commitment of resources as it is a matter of geography. In my area, there's no way you could get a public transportation system off the ground and have it running because you have to have a car anyway. If you have one, you're going to use it. It takes a very much greater density of population than you have almost anywhere east of the river with the exception of East Hartford and Manchester and the New London area really to make a public transportation system work. And this is the major problem facing the public transportation thrust and planning is not correct to correct it, at least not transportation planning. Zoning may help to correct it but we're a long ways from the kind of zoning that would do this. I would urge that at least until we are sure we are well, we give the commissioner of transportation a chance to respond to the management challenge that we are presenting him, and I urge rejection of this amendment. Thank you.

THE SPEAKER:

For further remarks, the gentleman from the 46th, the chairman of the transportation committee, Rep. Thomas Sweeney.

MR. SWEENEY (46th):

Thank you Mr. Speaker. I rise to oppose the amendment. I simply appreciate and can understand Mr. Serrani's concerns in some fields that he mentioned. I share those feelings also but I interpret his amendment as locking in the department of transportation. I don't think it's going to give them any flexibility in terms of their employees, in terms of their

equipment and certainly in terms of the many sub-agencies and people that they have working for them when it comes to planning highways, when it comes to planning mass transit and of course real service. We talk about mass transit. The State of Connecticut, although it doesn't appear in any official document that you might have in front of you, now has over 800 people providing mass transit in the state of Connecticut in various parts of the state. There is over a thousand people riding rail service, working directly for the state although they don't appear on the state payroll.

So, I think these are some of the things that we have to consider when we are listening to the debate on this amendment. I think it's going to lock the department of transportation into doing anything other than what the amendment reads.

Another thing, Mr. Speaker, I think we should concern ourselves with the fact that the department of transportation when they're planning anything, they have to deal and conform with federal regulations and I'm not sure that the amendment, if its adopted, they would be able to plan highways and they would be able to plan additional mass transit programs and additional rail services throughout the Stateof Connecticut if they did not conform with federal regulations and if that was the case, Mr. Speaker, I don't think that the many many millions of dollars that we get from the federal government for these programs would be forthcoming.

I urge rejection of the amendment, Mr. Speaker.

THE SPEAKER:

For further remarks, the gentleman from the 30th assembly district.

MR. ROSSO (30th):

Mr. Speaker, as a member of the transportation committee, I feel compelled to rise and speak against this amendment. The proponent knows I've

looked at his amendment. We discussed it and the most glaring problem I find with this amendment is the separate planning agencies. Now the proponent himself has stated that they're separate and distinct but that would not preclude any cooperation between the two planning departments. I say, Mr. Speaker, in fact the amendment won't encourage competition throughout the department, no cooperation from one department to another but competition and that competition will negate any advance we have made in recent years in mass transportation.

And, therefore, I would urge my colleagues to vote against the amendment. Thank you.

THE SPEAKER:

For further remarks, the gentleman from the 141st.

MR. VAN NORSTRAND (141st):

Thank you Mr. Speaker. I rise with some reluctance. I don't want to cast a Republican spell over Mr. Serrani's amendment but frankly, I think it has considerable merit. I presume when Mrs. Hendel reported the vote in GAP the one was Mr. Serrani. I remember when he left and got his vote in Transportation where he got a far better reception to this amendment when he was told he would have his day in GAP. He should have stayed in Transportation, it appears.

The fact remains, I think his amendment is directed to a major problem and it is easy to think of the state in segments and comments of the last three speakers reflect a number of things but the key one is an attitude and I believe locking in is the right answer and I believe friendly competition is going to be the right answer. We're still going to have a commissioner at the top and someone is still going to have to make a decision on a balanced transportation plan but time is running out on us. We cannot

take a parochial attitude on this. We are going to be faced, we are faced with an energy crisis. About the only way out of it in the long run for the salvation of this state is effective mass transit. It will take different forms but it still is the only way.

Mr. Serrani's amendment, and I have studied it, as I understand it, will provide separate planning, yes, but make very beneficial mixed use of all the technical staff that would support the two entities. I believe it's a good amendment and I think it's vital for the future of this state. I urge your adoption of the amendment.

THE SPEAKER:

For further remarks, the gentleman from the 51st.

MR. JOHNSTON (51st):

Mr. Speaker, I'll be very brief but over the past several months working on this reorganization act that's before us today, we've taken one basic premise in mind and that is, we're not about to internally organize any of the departments in the state and I see no reason why the department of transportation ought to be different. In fact, I'm not so sure that a structure or a system, an internal system, is going to give us better mass transportation. I think that ought to come from a commitment from this general assembly, from theGovernor, from the commissioner and the commissioner has the authority under this act to internally organize the department. If he believes a separate division for public transportation is necessary, he has the authority to internally organize and to appoint a deputy commissioner for this and I think it would behoove us to support this amendment.

I urge rejection.

THE SPEAKER:

The gentleman from the 144th for the second time on House Amendment Schedule "D".

MR. SERRANI (144th):

With all due respect to all members in this chamber, this is a sincere effort to do what I think we have to do. And just to answer some of the comments that have been made really, it was mentioned what I'm doing with the amendment is to create divisions within the department. That is true. The divisions are already being created in the file copy so if we're not concerned about internally reorganizing the department of transportation, if we pass the file copy, we're in fact doing that. My amendment creates two bureaus: the bureau of highways and the bureau of public transportation. The file copy creates a bureau of planning, a bureau of engineering, a bureau of operation. What's the difference in the division? They've got three divisions and I've got two. So, we are dividing regardless. That's not an argument.

Number two, one of the first super agencies, and we talk about super agencies here today because we're reorganizing 200 boards and commissions into 23 super agencies today, the original super agency was the department of transportation and is until we pass this bill. The department of transportation in 1969 was created out of the department of highways and the Connecticut Transportation Authority--two divisions, public transportation and highways. That's exactly what I'm doing here today. This is the super agency. If we can put under the department of business regulations insurance and banks which are two divisions then we can certainly put under the department of transportation the bureau of public transportation and the bureau of highways. There is no difference in any way except that as insurance is compared to banks in a different expertise, in a different area of knowledge, so isn't public transportation to highways. If you buy that premise, you can buy this amendment. If you don't buy the premise, you'll

have to defeat the amendment.

I would urge that the amendment pass. I think it will benefit all of us in the long run and it's not my intention to scuttle the bill because I do believe in the bill but I think we're making a grave mistake if we don't pass the amendment. Thank you, Mr. Speaker.

THE SPEAKER:

For further remarks, the lady from the 150th.

MRS. OSLER (150th):

Thank you, Mr. Speaker. I would like to support this amendment. As others have spoken about their regions of the state and how this bill might apply to them, I would like to say that in my area of the state, my local transit district has contacted me in support of this amendment. The regional planning agency has contacted me in favor of this amendment. A commuters action association that represents some of the commuters from the shore line and slightly north of that that go into New York City have spoken in favor of this amendment and I would like to say that in the Government Administration and Policy Committee I also supported Mr. Serrani's amendment there. I think it is a good one and I hope that you will give a vote to it.

THE SPEAKER:

For further remarks, the lady from the 40th for the second time on House Amendment Schedule "D".

MRS. HENDEL (40th):

Thank you Mr. Speaker. Mr. Speaker, I would like to respectfully say that Mr. Serrani's reading of section 550 is not correct. The bill, the file copy of the bill does not delineate any bureaus or departments. It does not deal with internal structure although it lists, for a page and a half (record 14)

or two, the various functions, duties and responsibilities of the commissioner of transportation. The kind of suggestion that Mr. Serrani has is not the way to get mass transit in Connecticut. We presently have bureaus such as he suggests and we don't have good programs in mass transit. When you vote the amendment, and I urge you to vote no on the amendment, remember that internal organization is not dealt with in the reorganization bill nor should it be and that we ought to have commissioners who take their responsibility seriously and look at the problems that do involve, in the case of transportation, transportation in the state and deal with them. We in this general assembly can set policy through our budget-making processes and perhaps its time we did it but not through the kind of suggestion that Mr. Serrani has made in his amendment.

I urge defeat of the amendment.

THE SPEAKER:

Are you prepared to vote? If so, the machine--

MRS. HUNTER (111th):

Thank you Mr. Speaker and very briefly. Consistently I have supported after full examination Mr. Serrani's proposal both as a member of the transportation committee, a member of the GAP. I also intend to support it now when it comes to a vote.

Regarding the fact that our work, the GAP Committee's work, doesn't deal with internal organization, I don't think that's a valid argument for rejection of this particular amendment. I think the needs of the State of Connecticut, the needs of the people in the State of Connecticut is an overriding consideration and I urge support of Mr. Serrani's amendment.

THE SPEAKER:

Are you prepared to vote?

MR. BENNETT (82nd):

Mr. Speaker, I would like to take this moment to compliment Rep. Serrani on the fine work that he's done on this bill. You did a lot of work on it in the transportation committee and he's done a lot of work on it here today. His presentation was very good.

I would like to ask him a question, through you Mr. Speaker.

THE SPEAKER:

Please frame your question, sir.

MR. BENNETT (82nd):

I would like to ask Rep. Serrani if this amendment has the approval of whoever approves the amendments. I'll repeat the question, sir. My question was, has this amendment the approval of whoever approves the amendments?

MR. SERRANI (144th):

A question to the questioner, who's that?

THE SPEAKER:

The gentleman from the 82nd has the floor.

MR. BENNETT (82nd):

I'm sorry, Mr. Serrani, if you don't know and I'm very sorry that you put all this work into this amendment because I think it's all going to go for naught if you didn't get the approval. Thank you, Mr. Speaker.

MR. ROBERTI (126th):

Mr. Speaker. Yes, Mr. Speaker. I agree philosophically with this amendment. I think it's a good amendment when we look at it and I think Tom--I think Rep. Serrani has done a fine job on this amendment and

I think he means well by it. I think many of the people that spoke on this amendment today meant well on attempting to make some basic changes in a problem that we have with transportation system in this state.

But my problem with the amendment, Mr. Speaker, again and I just want to stress this before we vote, but I think this thing's become highly politicized. There's been a thousand attempts to scuttle this bill. I don't believe Rep. Serrani has attempted to scuttle the bill but I think that other people have attempted to use this amendment as a way to stop reorganization from coming a fact in this state and I think we've waited too long. But I would just urge the members of this House to vote for this bill--I mean to vote against this amendment. And that's all, Mr. Speaker. Thank you.

THE SPEAKER:

Will you remark further? If not, will the members please be seated and the staff and guests come to the well. Themachine will be open. Have all the members voted and is your vote properly recorded? If so, the machine will be locked and the Clerk will take a tally.

The Clerk please announce the tally.

THE CLERK:

Total Number Voting.....143
Necessary for Adoption..... 72
Those Voting Yea.....63
Those Voting Nay.....80
Those Absent and Not Voting..... 8

THE SPEAKER:

House Amendment Schedule "D" FAILS.

Will you remark further on the bill as amended by Senate Amendment Schedules "A", "B", "C" and "E"?

MR. MATTHEWS (143rd):

Thank you Mr. Speaker. I've been sitting here listening to the comments, pro and con, about this bill and I really have only one way that I can think of this bill. It's sort of like an alcoholic. It's staggering all over the place. It's been fed initially apparently by a circle concoction from upstairs on the third floor and it's become inebriated. It's sick and it needs a lot of help and I think that we have been trying to find some means of helping it by offering some amendments that would do something to make it a better bill and after all, alcholics, when they are alcoholics, need to have some help. They need to get some assistance when they're sick and this bill, as I said, is a sick bill. Why can't we, and why can't all of us understand the real need of this bill for the future of the State of Connecticut, for the people of the State of Connecticut, not as a political football to be kicked back and forth, not to be made a soccer ball in caucuses, not to have our arms pushed one way or the other in order to do what somebody else thinks we ought to do. That isn't the way to handle a sick bill. The way to handle a sick bill is to look at it fair and square in the eye, vote what is the right thing to do for the people of the State of Connecticut.

It may be a surprise for you today for me to stand and say that I'm a little disappointed in all of us in this chamber today. I think we've let down the whole state. I think when we on this side offered the amendments which we attempted to do to make a better bill out of a bill which we all realize is something that is necessary and needed in this state, but it is dismaying to have them turned down and turned down in large measure by people who weren't even here to listen what the amendments were about. It's wrong and I'm disappointed for probably the first time since I've been in this assembly and I've had some difficult times with some of my

bills over the years, as you well know.

All right, so we have another chance maybe next year and I hope that you'll take the amendments which we have proposed and look at them carefully and when we come back for another visit next February, I hope you will accept some of these amendments in a manner in which they've been presented to help the overall operations of this state to make a better future for this state. Thank you.

THE DEPUTY SPEAKER IN THE CHAIR

THE DEPUTY SPEAKER:

Will you remark further?

MR. STOLBERG (93rd):

Mr. Speaker, if this is a sick bill, I'd hate to try to amend a healthy one.

The Clerk has an amendment, LCO 9334. I would like to follow the innovative precedence set by the other side of the aisle and withdraw the amendment and speak to the withdrawn amendment, Mr. Speaker.

Mr. Speaker, this bill, if slightly sick, certainly has a life of its own, and that life is carrying it through this chamber and I suspect it's going to carry it through this chamber with an overwhelming vote which is as it should be and I agree with Rep. Matthews, I do hope that the flaws in the bill, some of them extremely minor and some of them potentially serious, can be corrected in the next session. LCO 9334 was a bill which would have retained in place the department of community affairs.

I am concerned that this bill essentially dismantles both the department of community affairs and the department of social services, the two agencies of government which are truly committed to the people of this state and indeed the people most in need. If federal direction dictates that

the most efficient structure for the State of Connecticut in the future should be an income-maintenance program and a human resources program, I will be extremely pleased and will be extremely pleased next year to validate the structure of the human resources proposed in the bill.

I do have reservations but I do hope that this bill passes. I think in great part it's a very significant step forward and it will be of assistance to both the executive and the legislative branches in the future.

MRS.HANZALEK (61st):

Thank you Mr. Speaker. Mr. Speaker, I would like to invite the members of this chamber on a little trip down memory lane and the reason I'd like to do that is because you have heard me in this chamber, both in this session and in previous sessions, discuss the council on human services and discuss a commission that was mandated by this legislature four or five years ago to plan for a department on human services. And I would suggest that those of you who just happen to have a copy of our file in front of you take a look at sections 546 and 547 and if your memory is as long as mine, and in some instances, I know your memories are longer than mine, you will realize that back about five years ago, we passed almost identical legislation.

The commission that was established to plan for a department on human services was then known as the Zimmerman Commission and Charlie Zimmerman and Chase Woodhouse were probably the two most active and most vocal spokesmen on that commission. There were legislators on that commission too. I was one of those legislators, Leo Flynn was another one of those legislators, that commission deliberated for several years, for about two years, eighteen months to two years, and at that time, at that time,

THE DEPUTY SPEAKER:

The chamber please come to order.

MRS. HANZALEK (61st):

Thank you Mr. Speaker. At that time, it was clear not only to the members of that commission, but it was clear to the majority of the members of this legislature, both chambers, as well as to the people of the state, that Connecticut did not want to go through the agonies of having a large HEW so that instead of having a department on human services, (record 15) we decided that the best opportunity to improve the delivery of services to the people of the state was to set up a coordinative type council on human services. That council functioned rather well. It received accolades from large number of human service organizations. Subsequently it was starved. It was ignored. Commissioners no longer attended, they sent their alternates or some flunky in the department. The decision-makers were no longer part of the council. The council was just not functioning and a few weeks ago, we did the honest thing and buried the council. You and I were at the funeral here one afternoon in this chamber.

And now, you know what we're doing? We're setting up another commission made up of public members and legislators and all kinds of people, same make-up of that commission way back when because the general assembly finds and declares it to be in the public interest that a state human services plan be established providing for interdepartmental arrangements appropriate to achieve operational integretation coordinating structure. Remember that, coordinating structure? Accountability to the Governor and the general assembly, comprehensive and integrated delivery of services? My, those words sound so familiar.

Do any of you realize what you're doing? I wonder. I wonder how

many people have really read this file and know what's happening to each and every department. Some time ago, there was an article in one of the newspapers headlined, An impressive name, a fancy cover and big charts. That article referred to this so-called restructuring of government that we're working on today. Heaven only knows, we want to provide services more efficiently and more effectively. We want government to be a more responsive organization rather than to be a very frustrating bureaucracy, frustrating both for those who work within it and also for those who are served by it.

Whatever kind of restructuring plan we start out with is not going to be perfect. We know that and you today heard several suggestions for improving that plan. Given time, I'm sure that we'll find many other areas that need to be improved, that should be improved and I'm sure that given time, we'll all have constituents that will ask us why in heaven's name did you vote for that thing. Don't you know what it's done to us? But we're going to have to take that because basically we mean well. We would like to do the right thing by the citizens of this state. I wonder though if the citizens of this state realize that some of the legislators, in fact unfortunately a majority of them, seem to be walking in locked step and perhaps all their twisted arms are linked together as they walk down the corridors of life to vote down all the amendments which might have improved this bill. I hope that eventually the citizens of this state will find out not only what we are doing for them but occasionally what we do to them.

Mr. Speaker, I think that the committee has done a fantastic job in a short time. I agree with Rep. Stolbergthat for whatever deficiencies or despite whatever deficiencies, the bill probably will receive an overwhelming vote and yet, I'm a little sorry that we were not given the

opportunity to improve those areas where we really know improvements could have been made andshould have been made.

Thank you.

MR. DE MERELL (35th):

Thank you Mr. Speaker.

THE DEPUTY SPEAKER:

Speaking for the second time.

MR. DE MERELL (35th):

I'd like to address myself to the bill as a whole and I'd like to express my opposition to it. I think that, because I've seen it, it makes a very nice flow chart and that's about all I can say for it. About the only other thing that it does is possibly it consolidates some line of reporting to the Governor and indeed if that's what we wanted to do, I might suggest we should have looked at a cabinet super-structure.

Earlier Rep. Hanzalek referred to an article that our state auditors had in the Courant recently entitled, an impressive name, a fancy cover and big charts. And they quoted in there an old soldier around 210 B.C. and his quote went such, we trained hard but it seemed every time we were beginning to form up into teams, we would be reorganized. I would to learn later in life that we tend to meet any new situation by reorganizing and a wonderful method it can be for creating the illusion of progress while creating confusion, inefficiency and demoralization. And we owe that pithy statement to Petronious Arbitor. I think he hit it right on the head.

I think that politics as I've noticed it recently seems to follow trends and the trend now seems to be, let's have reorganization. Let's tell the public we're going to give them better service, we're going

to reduce costs and yet every time somebody goes through one of these things, they find out it costs them more money in the end. The accountants or our auditors and because I think this is a rather sound article that they wrote, I certainly hope everybody had a chance to read it, but in case you didn't, I would like to mention or quote one or two sections in here. One of them is that the Filer report, when it got together, seemed to offer to the public a reduction of some 200 departments, boards and commissions to 17 super departments. In fact, some 45 lesser boards and commissions will be abolished and a number of new ones created underneath the committee's proposals. That's a far cry from 200 agencies down to 17 super agencies.

And we've had some experience over the last two years with "super agencies" because in 1969, we created the department of transportation and that to bring under one roof somebody accountable to the Governor for the responsibility for improving all modes of transportation. And it hasn't succeeded. So then we moved on. We created the department of environmental protection and just recently, it's come to our attention that we have serious problemswith park security and in our auditors wisdom, they seemed to feel that it's a problem of laboring of bureaucracy. Then we went on and determined that the department of children and youth services should be expanded three years ago and take over protective servicesfrom the welfare department. For two years, the state's failure in this particular program was concealed under the reorganized children and youth services program, until an attempted public suicide brought some rather strong attention to it across the state and we find out that there really hasn't been any more commitment under this department than there was under the old one but on the other hand, it is a bigger department so maybe we should be satisfied with that. It's a little bit easier to hide things.

I think our public employees have some concern to show about this particular bill because I think it's been pointed out again that one of the real concerns that I think a state has in terms of its public employees is khe protection of the merit system and I think both the administration and the policy should be underneath one roof but know in our wisdom, we're going to split that apart. And as we move down this path to make some rather significant reorganization, I think it's rather interesting to note that the new civil service commissioner in Washington, it's a man called Allan K. Campbell and he has been for years the Dean of the Maxwell School of Public Administration at Syracuse University, and he will be responsible for supervising the recruitment, assignment and utilization of promotion of 2.8 million career civilian employees. That's rather a large number of people. I would note that he says in his view that he brings to Washington and this is this man's career, this is his life's work, that he thinks the commission he heads should relax its direct grip on federal personnel decisions and let the department and agency administrators manage their personnel as they do other resources. In response to the abuses of the last few years, the civil service commission centralized personnel policies under its own control. Now, says Campbell, and I quote: "it is time for a little deliberate decentralization" so I'm glad we've caught up. We seem to be going the opposite direction.

Mr. Speaker, I really regret that this legislation is in front of us because I think it holds out to a promise to the public that simply doesn't exist. I think the people in our state have been led to believe that reorganization as embodied in this bill is going to lead to better service, it's going to lead to lower costs and frankly, this poorly drafted bill does none of those things. In fact, I think you're going to find what

other states found, that you're going to have a rather insignificant increase once this plan goes into effect and I'm sure it will go into effect sooner or later in your state budget and this comes at a time, Mr. Speaker, when the Governor is publically declaring that come fiscal 1978-79 we may have a shortage of between $100 to $140 million. So let's reorganize, let's get some big departments, let's spend a little bit more money. We might as well do a real good job of it.

Mr. Speaker, this bill is a deceit. It holds out a vision that cannot deliver.

THE DEPUTY SPEAKER:

Will you remark further on the bill as amended? Will you remark further on the bill?

MRS. BERMAN (92nd):

Mr. Speaker, thank you, Mr. Speaker. First of all, I would like to commend Rep. Hendel and the GAP Committee for a very extensive and a very impressive amount of work. I am a little concerned about the passage of this bill which I realize will pass and will pass with a very large majority. We have all been committed, I believe, to the reorganization of state government. However, I fail to see where this reorganization plan has been accomplished through a management by objective. Larger departments do not necessarily deliver services more effectively. What they do is remove the deliverer of services from those who most need them. They make the seat of government much more remote from the people. I think what we are doing here is creating an oligarchy. We are putting a great deal of power into the hands of a very few and most of those few were unelected.

President Carter has announced a new thrust to improve the cities because I think the President recognizes the fact that the salvation

of our cities means the salvation of our nation. I think by abolishing (record 16)
DCA, we have a big disservice to our cities and to programs of human rehabilitation. I'm very concerned about vocational rehabilitation since the function of rehabilitation. This plan fails to combine vocational ed function, manpower planning and SETA with vocational rehabilitation. I think this is a very serious flaw.

I think that we have lost a lot of coordination among programs that should be related and regretfully I must announce that I am going to vote against thepassage of this bill. I do hope that in the next session, we will be able to amend this bill and make it far more responsive to the needs of our citizens.

MR. VILLANO (96th):

Mr. Speaker, I like this bill very much. It's a badly needed bill and it's time has come and I'm going to vote for it and I urge all the others to vote for it.

I am disappointed, however, in one aspect of this bill and I feel constrained to speak on it and that is in the fact that this bill here does not contain in it the judicial department who should come under control of the Governor and this legislature. I'm aware of the fact that there's some feeling that the judicial department is a separate and independent branch of the government and that is so in the exercise of its judicial functions but in the exercise of administrative functions, it is a part of the executive branch and the state appropriates some $34 million for the judicial department which accounts to no one for the manner in which the department is administered. It names one of its judges as the chief court administrator. The House confirms all judges on the basis of their judicial qualifications but the confirmation of a person as a judge does

not qualify him as a court administrator and we've had this problem for years and I think should have been remedied by this bill and the House should consider remeding this problem in the future. I'm not passing judgment on the court administrator but the fact remains that for years and years and years, we've had a large backlog of cases. Litigants have to wait four, five, six years to bereached for trial, which is an injustice to them, and this condition will continue and continue under the present court administration. The problem calls for professional court administrator nominated by the Governor and confirmed by the general assembly based on his qualifications, ability and experience in judicial administration, not his experience as a judge. He should be a layman. Such an administrator would be accountable to the Governor, to the general assembly and I'm sure that he would address himself to speeding up disposition of cases which has not been done in the many years that I've been a member of the Bar and I'm simply saying this for the record.

I will vote for the bill, however. It's a good bill except for that failing, for that lack.

THE DEPUTY SPEAKER:

Will you remark further?

MR. WALKOVICH (109th):

Mr. Speaker, I rise in support of the bill, a bill which is the product of a bipartisan effort of the joint committee on government administration and policy to streamline state government. No one on the committee believes this bill to be perfect and the joint committee is committed to review the bill in the interim and in the next session and to make those technical changes needed in the logical manner. Mr. Speaker, today this assembly can be proud that we can stand here with the first major

work to reorganize state government in Connecticut. The bill creates an executive structure for state government which virtually every agency is connected to only 23 departments. No programs are eliminated and all state employees' rights are intact. The bill provides for legislative oversight, of the implementation of the reorganization and it prescribes and creates a process for continuing the review process. It also creates a sunset provision by which this general assembly will have the overview of some 100 boards and commissions and to recommend to the general assembly the modification, elimination or the status quo of these boards and commissions. The bill also includes citizen participation for the first time on many boards and commissions by requiring one-third public membership on certain boards and commissions of members who have no substantial financial interests.

Mr. Speaker, this bill gives Connecticut a framework of government which will be more responsive and responsible to the needs of the people of this state and I urge passage of the bill.

THE DEPUTY SPEAKER:

Rep. Clyde Sayre speaking for the second time.

MR. SAYRE (68th):

Thank you Mr. Speaker. I rise to support the bill and to thank Pat and Wayne and Nancy Johnson and members of the committee for helping to put this together. There were an awful lot of problems through the bill. I don't really take any pride of authorship as other members of the committee don't. I think we look at this bill with the idea that the changes next year will be some of the most important things that will happen to this bill and should happen to this bill. I think the list of changes brought out today, the recommendations, must be addressed next year. The

bill is a double-edged sword, and to people familiar with guns, the number of the bill, 357, could have special significance. I hope we don't turn it on ourselves.

An effective Governor will well-qualified commissioners and staff can change our government for the better but an inept or uncaring Governor with commissioners picked for political cloat rather than expertise could wreck havoc with our state government. Thephilosophy of the bill is laudatory but the test of time will be holding the line against re-establishment of old fifedoms,of restoring vacated turf, of re-establishing pomp and circumstance in lieu of permance. Our next Governor and his commissioners will have the awesome responsibility of making reorganization the effective, efficient and accountable structure that Connecticut government should be. Government is of the people and our people in government will have to measure up to make this bill a success rather than an abject failure. It is in our hands and the people's hands in the state just exactly what reorganization will be in the future. Thank you.

THE DEPUTY SPEAKER:

Will you remark further? Will you remark further?

MR. JOHNSTON (51st):

Mr. Speaker, I rise to speak on this bill and to offer my support. We've been spending five months, the government administration and policy committee, dealing with the Filer's committee's report. We've had the cooperation of the Governor's office, the minority on the government administration and policy committee and yes, even the bureaucrats. We've had them all in, had public hearings, we've discussed the merits of this bill and just what kind of a structure of government the State of Connecticut

ought to have. We've had input from the residents of the State of Connecticut. We've all heard from many of our constituents with regard to this bill.

This bill is the result of a lot of compromises, a lot of negotiation. It's not perfect. I think we all accept that but I do think that it is a giant step forward for the state of Connecticut. We've been hearing from constituents and people throughout the state that we want a more responsive government, that we ought to consolidate many of these smaller boards and agencies. Now we have the opportunity. This bill provides for fewer departments, more consolidated departments and I think with department heads that will be responsible to not only the Governor but to the people in the State of Connecticut. I think we all are pretty well fed up with much of the bureaucracy. We want accountability in our state government and in the bureaucrary. I think this bill gives us that opportunity. So I think that we as legislators have been telling the people of this state that we're sick and tired of the way the government is running and I think right here and now we have an opportunity to make a step forward and I would urge that we all support this bill.

MRS. HENDEL (40th):

Mr. Speaker, on the bill and very briefly due to the lateness of the hour. I want to thank at this time all the committee members for their very tremendous input into the bill and especially Rep. Sayre because he happened, among others working hard, he was one of the more experienced members of our committee that was terribly helpful and we appreciate the assistance.

Many of us attended the Legis Fifty Conference held a few weeks ago at the Hilton Hotel and heard the comment that improvement means change and change may make some people uncomfortable. I think as Rep. Mannix said

earlier, there was an aura of uptightness or whatever phrase he used here today and he could be right. I think we're embarking on a big step forward and a new step forward in Connecticut state government. We have here a tool to provide better services to the people in our state and we're going to have to exercise a lot of care as we implement this program over the next few years. We have a responsibility as a legislature to follow through to make as we've done with other major changes in state government, court reorganization or other kindsof programs but kinds of changes that are necessary in coming sessions. We have our eye on the ball. I think we know what we want to do and together I hope we're able to accomplish it.

THE DEPUTY SPEAKER:

Are we prepared to vote? Will all the members please take their seats. Will the staff and guests please come to the well of the House. The machine will be open. All members in the chamber must vote. Will you please check the board to see if your vote has been properly recorded. Have all the members voted? If so, the machine will be locked. The Clerk please take a tally.

The Clerk please announce the tally.

THE CLERK:

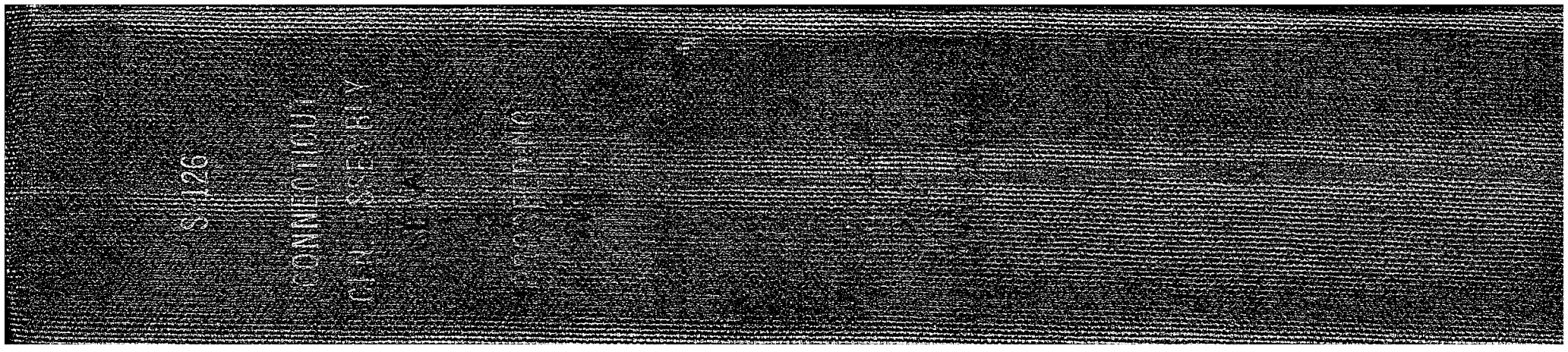
Total Number Voting.....143
Necessary for Passage..... 72
Those Voting Yea.....130
Those Voting Nay..... 13
Those Absent and Not Voting..... 8

THE DEPUTY SPEAKER:

The bill as amended is PASSED.

MR. O'NEILL (34th):

Mr. Speaker, I move for suspension of the rules for the immediate


S.126
CONNECTICUT
GENERAL ASSEMBLY
NEW HAVEN
MAY SESSION, 1818

please say aye, opposed nay. The ayes have it. The Consent Calendar is adopted, HJR-203, HJR-204, HJR-205, HJR-206, HJR-207, HJR-208, HJR-209, and SR-102.

SENATOR LIEBERMAN:

Mr. President, there is a single item marked as ready for business today and that is the Order of the Day, Calendar 769 on page 1. I would ask that all other double-starred items on the Calendar be marked passed retaining.

THE CHAIR:

Without objection all of the double-starred items will be marked passed retained.

THE CLERK:

Turning to the first page of the Calendar, under the heading Order of the Day, Calendar 769, File 898, Favorable Report of the Joint Standing Committee on Government Administration and Policy. Substitute for Senate Bill 357, An Act Concerning The Reorganization Of The Executive Branch of State Government.

SENATOR BAKER:

Mr. President.

THE CHAIR:

Senator Baker.

SENATOR BAKER:

I move for acceptance of the committee's joint favorable report and passage of the bill.

THE CHAIR:

Will you comment, Senator?

SENATOR BAKER:

I believe the Clerk has an amendment.

THE CLERK:

Clerk has Senate Amendment Schedule A, File 898, Substitute Senate Bill 357, LCO 9391, offered by Senator Baker and copies are on the desks.

SENATOR BAKER:

Mr. President, I would ask that we waive the reading of the amendment.

THE CHAIR:

Would you care to explain the amendment, Senator Baker?

SENATOR BAKER:

Yes, Mr. President. Before going into an explanation of the amendment, I would like to have an opportunity to make some preparatory remarks with reference to the bill as a whole, and perhaps the history of how this bill came about. Mr. President, the Clerk read the title of our bill as An Act Concerning the Reorganization of the Executive Branch of State Government. Mr. President, Ladies and Gentlemen, we reorganize state government every year. There's no such thing as status quo in state government. State government is a dynamic. The question that's presented to you by this bill is whether or not this organization is going to be an orderly process or haphazard as it's been in the past. State government, as you all know, has been rapidly expanding in recent years in an attempt to keep pace with legitimate

increasing demands for state services. In order to meet this increased demand for state services, new organizational units have been created. Unfortunately, these new units generally have been formed without adequate consideration for the relationship to the existing structure of the state government. The trend has been to establish a new board, commission or agency for every new program. Members of the Circle, if state government is to maintain adequate service levels and control costs, it is imperative that it be structurally aligned so that it can be well managed. The Government Administration and Policy Committee began its work this session by reviewing the three previous studies of state government as well as the Filer Commission Report of which you all are familiar with. The committee did a comparison of these reports being the Wilbur Cross Commission Report in 1937, the Chester Bowles Commission Report in 1950 and the(inaudible) Commission in 1971. Thereafter, the committee held hearings to receive testimony on the recommendations of the Filer Commission Report. Testimony was received from many groups that have manifested an interest in state reorganization. These included the State Employees Association, The League of Women Voters, The F.L.C.I.O, C.B.I.A. and almost all Department Heads of the major agencies. In addition, the committee reviewed the reorganization steps taken in other states in recent years. A study was made of nine of such states, in an attempt to avoid the mistakes and pitfalls that the other states had problems with in their reorganization. The States that we studied were Cali-

fornia, Georgia, Louisiana, Oregon, Arkansas, Colorado, Maine, Massachusetts and North Carolina. Further, the committee, throughout the session, has worked closely with other subject matter committees on an informal basis in order to get as much input as possible on the question of the type of structure for state government that directly would affect these (inaudible) matter committees. I express my appreciation to the co-chairmen of these committees for their cooperation and help and advice. The committee in its bill recognizes that this cooperation must continue, because organization and reorganization is an ongoing process, and if we are to avoid the pitfalls and the problems that I referred to earlier of establishing new units without adequate consideration of their relationship to the existing structure of state government, we must continue, here in the legislature, to work together. And from the beginning, there's been cooperation on our committee on a bi-partisan basis and the final vote on the bill was 14 to 1 indicating a general consensus on the bill as a whole. Members of the Circle, the committee is aware of the limitations on what its recommendations can accomplish. Efficient government depends on many variables whether good policies are chosen by the Governor and the Legislature, whether competent people can be attracted to state service, whether federal policies encourage or discourage efficient state operations and whether service delivery systems are well designed to meet needs. We are not claiming that better structure is a

panacea for all the problems of the state government. Good structure alone will not necessarily inspire sound decision, or recruit good people or avoid unnecessary spending on ineffective programs, but it is a good starting point for the improvement of state government. A good structure can help to recruit good people and to inspire sound decisions. A poor, haphazard structure increases the odds that problems will accumulate unresolved. It is imperative that we put our house in order. To do this, we have followed certain principles in the main bill. They are simple and straightforward. There should be fewer departments reporting to the Governor. One of the complaints about our bill and any bill that seems to consolidate or limit the number of departments has been that the departments want to remain independent and report directly to the Governor. The fact is that this does not work and that there is little access to the Governor. It is impossible for a Governor to manage an extremely large number of independent departments, and it is equally difficult for that Governor to establish priorities where a very small agency has as much access as the Department of Health, the Department of Consumer Protection, or the Department of Economic Development. Secondly, another principle that we followed was that the departments should be functionally aligned. We have attempted to put public safety units in one place and health units in another place, so as to avoid duplication and to establish a clear responsibility, Thirdly,

there should be less management by committee. Connecticut State government, management by committee is all over the place. In addition to this limitation on the Governor's managerial authority, the terms of officers of the appointed officials on these committees often differ from that of the Governor, so that effective change in policy cannot occur even in, within a single term of office. The board or commission form of organization has two problems, management by committee and a lack of responsiveness to gubernatorial policy direction. Fourthly, support services should be under the control of the Governor and closely related to each other. Currently support services provided to the agencies such as purchasing, travel, printing, accounting are spread all over state government while many activities of state government have only a limited comparability to those in the private sector, I think it's fair to say that with reference to the administrative service functions they can't be considered comparable to those provided in industry. Failure to consolidate support services has prevented the state from achieving some cost reduction opportunities. Fifthly, the state budgeting system should tie cost to performance. It is expected that with the passage of this bill the institution of a performance measurment system will be possible. Sic, a department head should have the power to make decisions for which he or she is held accountable. What this means is that subject to civil service rules and the administrative procedures act, a department head should have the power to hire and fire, assign and reassign

functions, to shift resources within his or her department or agency and to control recommendations concerning the budget of his or her subordinates. The best control on the department head, is to hold him accountable for cost and performance. Therefore the committee has not recommended organization structure below the level of a department head in most cases. We have not tried to say how many deputies a department head or a department should have. The main bill creates an effective structure for state government in which virtually every independent agency except those issuing revenue bonds is either attached in some way to one of the 21 major departments or abolished. No programs are eliminated and all state employees rights including the right to a position in a class (inaudible) service at present rank are specifically guaranteed. The amendment, among other things, makes it clear that the implementation of this bill will not authorize any further expenditures beyond the appropriated budget we've already acted on. In addition, it transfers the Real Estate Commission which was originally assigned to the Business Regulation Department to the Consumer Protection Department. The amendment also places within the Department of Public Safety the State Police Department, removes the Motor Vehicle Department and attaches the Commission on Fire Prevention to the Department for administrative purposes only. It also changes the name of the Board of Permit (?) Examiners to Board of Firearms Permit Examiners and changes the number on that Board from nine to seven. The main bill incor-

porates the legislative review process that we all know is referred to as "Sunset," that is requiring automatic termination of agencies after a certain date, and we have included about 100 regulatory agencies and programs which, after review, starting in 1980 under this amendment rather than 1979 and will go on for five years. It also makes it clear that the input from subject matter committees will be received by requiring joint hearings with the Legislative Program Review Committee. The amendment also exempts three quasi-judicial commissions from the general principles allowing the Governor to appoint the chairpersons and executive directors for the commissions and staggering their terms proterminously. These are the Human Rights and Opportunities Commission, the Commission on Special Revenue and the Public Utilities Control Authority. It also incorporates language from the existing statute dealing with the Department of Community Affairs into the Economic Development Department making it clear that the Department of Economic Development should, through its housing function, generate moderate and low-income housing for the poor. Several things had to be taken into account in dealing with this amendment, because the amendment is a reflection of the principles established in the main bill. As I indicated, it was the committee's view that department heads should be given sufficient suthority over their departments so that they could be held accountable for departmental performance. Therefore, statutory requirements for division, bureaus and deputy commissioners are repealed, and de-

partment heads are authorized to organize their departments in a manner they consider most effective, and we have dealt with the independent bureas and commissions that are below the department level in one of four different ways. We've abolished them completely or we've abolished them and transferred their functions to a related department or we've placed them intact within a related department or we've placed them within a department for administrative purposes only. It should be pointed out that agencies attached to departments for administrative purposes only remain substantially autonomous receiving simply surport services from the departments to which they are attached. The agency attached for administrative purposes would continue to exercise its quasi-judicial rule-making, licensing and policy making functions free from the department's approval or control. It would prepare its own budget if any. It would hire its own personnel. The department would include the agency's budget request in its budget request, but as a separate part and exactly as submitted by the agency. The department simply would provide to the agency record-keeping, reporting, clerical and administrative services. Members of the Circle, most states that have reorganized have, with rare exception, not allowed existing entities freedom from control of the commissioner of a new department to which they've been attached. Administrative purposes only allows autonomy to be maintained while placing the agencies there to assist the budget process and to affect economies from the scale

of administration. Mr. President, I would move adoption of the amendment.

THE CHAIR:

Are there further remarks on Senate Amendment Schedule A?

SENATOR BAKER:

I would ask for a roll call.

THE CHAIR:

Roll call has been requested. If there are no further remarks, will the Clerk please announce an immediate roll call in the Senate.

THE CLERK:

Immediate roll call has been ordered in the Senate. Would all Senators please be seated.

THE CHAIR:

Do you have remarks? Senator Gunther.

SENATOR GUNTHER:

Mr. President, while we're waiting for the roll call, just a personal observation right now. When we talked about orderly procedure in bringing this bill before us, a thirty page amendment just handed on to our deck here, on a 422 page bill and a five page explanation of the amendment. Now if you can tell me in this Circle that this is orderly procedure on something that's as important as the reorganization in the State of Connecticut of the entire executive branch of government, I'm going to tell you it's not orderly in my book. Now, I'll support the amendment be-

cause God knows without it, it's probably more horrendous than what it is with it, but I do think that, if we had any brains at all right now, we'd take this whole thing and send it back to committee and spend the interim to go into this thing and look into it on an orderly basis to find out what we're doing, so that I'd say just, I know it might be whistling in the breeze here, but I think, if anything points out the unorderliness and the need to take a better look at it, is a thirty page amendment at the twelfth hour.

THE CHAIR:

Senator Rome.

SENATOR ROME:

Mr. President, I rise to support the amendment and disagree somewhat with my colleague. If I had my druthers, we would have had the amendment with a greater bit of time to look at it, but I think that, if you analyze the amendment and the five page memo from Jan Latham which I have just taken the liberty of passing around to the other Members of the Circle, Senator Baker, I think you'll realize that that thirty page amendment, much as the 422 page bill deals with a lot of existing legislation and therefore the mass that we have to look at to discern what is change and what is important change is not quite that extensive although it is, Senator Gunther, quite extensive. What I think we have to recognize is, in deference to Senator Baker and Senator Johnson, the ranking members of Government Administrations and Policy is

that these amendments are as a result of conversations with all groups concerned with the bill including all the members who sought input who are members of this Senate as well as House members, and it represents their input as a result of a 432 page or 421 page bill being in our files since the 8th day of April, I believe or thereabouts, so that, what Senator Baker has tried to do is to recognize the process and its need for compromise and change and understanding and put that in the form of an amendment, a very substantial amendment, and fortunately with the Office of Legislative Research, the amendment, in its English translation, has been put in the form of 5 pages which explains the dates of operation of each of the sections, the changes in each in the sections, what each department does or where each section of a department which has been consolidated or removed from another department where it goes to and how it gets there, so I do believe that we are prepared, or perhaps we'll never be prepared. I believe we're as prepared as we'll ever be from the documents and the conferences and the negotiations that have been allowed us by Wayne Baker and Nancy Johnson and others who have worked on this for a long time. Reorganization of government actually started before this session started. The committee's action started during the time that this session has been in operation. I do respect that it's an extraordinary job and there is no such thing as perfection in an operation such as this with all of the ramifications to so many of the citizens of

Connecticut from our removal or inclusion of one or more agencies in another agency. I think it's a step in the right direction. Certainly Senator Gunther is absolutely correct. The amendment is imperative. Without the amendment, I could not support the reorganization because then I would be voting for a blank and I mean a blank concept. I believe we're voting, if we pass the amendment, and I hope we'll be unanimous in passing the amendment, not only on a good concept of continual organization or better organization of government, but one which meets most of the tests that we could put it to through the amendment. I urge that we unanimously support the amendment regardless of our position on the bill.

THE CHAIR:

Question now is on the adoption of Senate Amendment Schedule A. If there are no further remarks, are you prepared to vote? Machine is open. Please cast your vote. Machine is closed and locked. Total voting 36, necessary for passage 19. 36 yeas, there are no nays. Senate Amendment Schedule A has been passed.

THE CLERK:

Clerk has Senate Amendment Schedule B. File 898, Substitute Senate Bill 357, LCO 9390, copies are on the desks. LCO 9390.

SENATOR BAKER:

Mr. President, on this amendment I would defer to the Senator from the 2nd District, Senator Cloud.

THE CHAIR:

The Chair recognizes Senator Cloud.

SENATOR CLOUD:

Thank you, Mr. President. Thank you, Senator Baker. Mr. President and Members of the Circle, the amendment that is before us now is an amendment that I heartily support for it recognizes the and attempts to deal with a resolution of a problem which involves some very difficult issues, and those problems primarily deal with the fact that under the proposed reorganization bill the department (several words could not possibly be picked up on the tape #2 - inaudible) to be abolished even though there are substantial feelings not only in the State of Connecticut but also around the country that this department is considered to be one of the three outstanding Community Affairs Departments in the country. The second area of concern is those services dealing with the deaf, the blind and the handicapped, and we attempt to address those particular services in this amendment as well. Originally, the reorganization proposal had set forth a new department which was to be called the Department of Economic Development and in that department it was to house the functions of the present Department of Commerce, the Department of Agriculture, the Connecticut Housing Finance Authority and the housing functions of the Department of Community Affairs. As the process went forward this session, as sometimes happens, that original concept was infringed upon in a way as follows - the Department of Agriculture

which was originally supposed to be in the Department of Economic Development is now out. The Connecticut Housing Financing Authority which was originally scheduled to be in this new Department of Economic Development is out and so what we have left here is a function with has a department including the Department of Commerce and the housing functions of DCA which include housing services for low and moderate income families as well as the elderly. So that today, in my own opinion, we have a department which is being called the Department of Economic Development, but truly in terms of definition of economic development in my opinion, is not. It is a Department of Commerce which has some housing functions taken from the Department of Community Affairs. Be that as it may, there are things that in this particular area which I hope that we will be able to rectify in future legislative sessions and to which I will address myself in a few moments. In addition, the functions of day care were scheduled to go into the Department of Social Services then into the Department of Children and Youth Services, and the Office of Local Government and the Department of Community Affairs and the planning function connected therewith were to be scheduled to go into the new Office of Policy and Management. The services for the deaf, blind and the handicapped were scheduled to go into the Department of Social Services. There has been a great deal of concern raised by the abolishing of the Department of Community Affairs and where its functions are going, were supposed to go as well as concern, great concern among the deaf, blind and the handi-

capped as to where those functions were going to go. Out of the original proposals we have attempted to put together some services that the state has the responsibility to provide to the people of this state which will make maybe a little bit more sense both on a functional basis as well as a organizational basis by the creation of what we are going to call the Department of Human Resources which would house the present DCA functions as follows: the Office of Day Care will go into this new department, the Human Resources Development Program will go into this department, for administrative purposes, the services connected with the deaf, the blind and the handicapped will go into this department and those social services functions which are presently in the Department of Social Services, other than those services connected with the services of income maintenance will also go into this new department. The Office of Local Government and Planning has been recognized by the first amendment before this chamber will go into the Office of Policy and Management, and the housing functions as mentioned again by Senator Baker will for purposes of this legislation, go into the new Department of Economic Development. It is with this particular function, the function of housing, that I want to address some personal concerns and what responsibilities I am prepared to take with regard to this particular function in state government. That is, it seems to me, for too long in this state, we have not addressed the issue of housing and the problems of housing, housing for all of our

people whether they be old or young, whether they be young families or handicapped, whether they be wealthy or middle-income should be dealt with in a cabinet level department, and so I have taken upon myself to, with the hopes that I will have support and assistance from members of this circle on both sides of the aisle, whether those persons who are involved in housing programs today, to attempt to come up with a piece of legislation which will attempt to create the Department of Housing in the State of Connecticut. I believe that this amendment is a good one. It, in my opinion, begins to do the work that the Filer Committee in many respects originally suggested ought to be done, and it addresses the problem so that we not overburden a department trying to grapple with the issues relating to income maintenance today as can be recognized by the overburden of the functions of the Department of Social Services. This amendment deals with people programs and puts these people programs into an agency which will receive especial attention and not be put into an agency where those services may very well be lost and not receive the kind of attention to which those services are entitled. I would like to indicate my appreciation and gratitude to Senator Baker and the ranking member of the GAP committee, Senator Johnson who had the time to work with those of us who are concerned about these particular areas on this amendment and indicate to you that I believe that with the passage of this amendment, that reorganization is on its way in the State

of Connecticut.

THE CHAIR:

Thank you, Senator. Will you remark further? Senator Hudson.

SENATOR HUDSON:

Yes, Mr. President. I rise in opposition to this amendment and it causes me great pain to do so because the motive for the amendment is a noble one. I will also be in opposition to the main bill because I think it has done some very, very significant things to hurt the program in Connecticut and the dismantlement of DCA is one of them, but the amendment flies in the face of the main bill which states in part, "that there shall be a State Human Service Plan in setting forth human service policy including accessibility of services to the public, equitable, cost-effective, comprehensive, integrated delivery of services (inaudible) objective necessary to implement such policy defining operational models to achieve those directives," and that plan is to be drafted by a Human Service Reorganization Commission, a bi-partisan commission, comprised of 14 members." This amendment begins to do that reorganization without input from that committee. I think before any substantial reorganization takes place, there ought to be some assurance of benefits and I have no such assurance. This amendment came to my attention about 3½ hours ago. There was no time for me to give it the kind of thought that it required. There has been,

to my knowledge, no contact with the Department of Social Services. Here we are going to establish a Department of Human Resources, and no one has gone to the present Department of Social Services for their input. This may be a good amendment in terms of the reorganization of some human services. I cannot say at this time. There also is no fiscal note to my knowledge on this amendment and I would like to share with the Circle that I did a minor reorganization job back in my first term as Chair ofthe Human Services Committee when we moved physiatric and mental health services for adolescents and young people from the Department of Mental Health to the Department of Children and Youth Services, and the argument was made as it will be made today, that we're just moving things around, that there are no different functions, no added responsibilities, and so we don't need any more money. I want to assure you all that nothing could be further from the truth. You need more money. You need more staff to reorganize. Just to move the adolescent facilities from Connecticut Valley Hospital to Undercliff and that moving to be done by the Department of Public Works, cost $126,000.00. Governor Grasso has warned us all of a huge deficit. $140,000,000.00. I don't think she's included in that deficit the cost of this reorganization plan. I want to call your attention as well to the fact that one of the major reforms going on at the federal level is welfare reform. Seems to me that this is precipitious. Until we know what the federal government is going to do

regarding Medicaid, early periodic screening, diagnosis in treatment, food stamps, the AFDC program, day care that to begin a massive reorganization in state government does not make much sense when federal mandate might require us to dismantle it all over again, and so, chiefly because of the procedure that has been followed, lack of input, no time, no fiscal note, I think this is an irresponsible amendment and I cannot support it.

THE CHAIR:

Senator Madden.

SENATOR MADDEN:

Thank you, Mr. President. I rise in support of the amendment, and I'd like to take this time to congratulate Senators Cloud, Johnson, Rome and Baker for this amendment. It truly, truly marks the beginning of an attempt in this state to develop the human resources of our people. The bill in its original form did not address that issue in my estimation. This amendment does mark a true beginning, and while it isn't everything that I would like to see with regards to housing, I will work with Senator Cloud in his effort to give housing a more prominent position within the organization of state government because I too believe it is necessary, and I want to congratulate all of these people that have been involved and these four are not the only ones because it is an indication to me and a test and an indication how reasonable they have been which stands in stark contrast to those

positions taken by others in the debate over this reorganization act. I have been extremely displeased with the carryings on of some of the members of state government and lobby groups outside of state government and in their attempts to impress upon us their position, but I believe that the groups that have been in support of this amendment have been reasonable, have taken the best interests of the people of the State of Connecticut into consideration and for that reason I will support this amendment. Thank you, Mr. President.

THE CHAIR:

Will you remark further? If not the question is ...Senator Johnson.

SENATOR JOHNSON:

I'd just like to rise in support of this amendment. Senator Hudson's objections to the process are real ones, regrettable ones. However, there are mitigating circumstances. There was a lot of testimony taken by the Government Administration and Policy Committee in the process of formulating this bill. Much of the testimony we heard and much of the sentiment of the committee supported this kind of realignment. Developing a viable, effective Department of Human Resources, a Department whose goal it is to provide services to all people, to welfare recipients, to the working poor, to all kinds of people, not limited or defined by income, but people who need services and who need services that the state has taken upon itself and mandated upon itself to provide. I see the

concept of a Department of Human Services as a viable, good concept, one that will serve the people of Connecticut well and speaks to the future. I think separating off the function of income maintenance, the determinations of eligibility, the precise looking into one's financial resources, etc., etc. as a different kind of human relation process and appropriate two different kind of staff function and management capability and so on. This amendment, I think, contributes a positive small step forward by simply dismantleing the Department of Social Services and Income Maintenance and creating a Department of Income Maintenance and a Department of Human Resources. It has been objected that this will not be a perfect bill because it has not, its gestation period has been short. However, the concerns are concerns that have been there for many years and the ability to evaluate either the file department of social services and income maintenance or the amendment is the same. Either one is a change, either one must be proved in practice, either one must be examined over the next year and a half and neither one takes effect until January of '79. I think that the amendment sets a better stage, a platform, if you will, from which this committee whose purpose it will be to draw up a human services plan and a process for its implementation, this committee will better be able to do its work from this platform. I think the committee work is tremendously important. There are many, many aspects of human services that we have to think seriously about, that we haven't

gotten into and there will have to be a detailed reevaluation and perhaps some adjustments made, but I think this is a good amendment. I think it speaks true to a need and I think it will be a good platform and is a good substitute for the Department of Social Services and Income Maintenance.

THE CHAIR:

Senator Ciarlone.

SENATOR CIARLONE:

Thank you, Mr. President. I rise to support the amendment. Many of us in this Circle, I am sure, are not completely comfortable with this bill. However, I feel the amendment seeks to address those areas that many of us have great concern and the areas that concern me and I'm sure concerns many others are the areas of housing for the elderly, low and moderate income people. It is my judgement that this amendment will be basically addressing itself to that area. I think it's a good amendment. We should adopt it.

THE CHAIR:

Will you remark further? Senator Barry.

SENATOR BARRY:

Mr. President, I rise to support the amendment and as one who had some reservations about the original bill in three areas that are touched by Senator Cloud's amendment, I would like at this time to withdraw an amendment which I have submitted, LCO #9386, which has to do with deleting from the bill in chief, the

Board of Education and services for the blind, the Commission on the Deaf and Hearing Impaired and the division on vocational rehabilitation. I do so because as a realist, I know that the support is not there for the amendment, but I also do so because I believe the amendment that is before us at least treats these agencies considerably better than the bill in chief and then the bill in the file before us. I think it's important that these agencies have as much autonomy as they possibly can. I think they are more appropriately in the department to which they are assigned by the amendment before us and therefore, I support the amendment. I think the long effective date of January 1, 1979 will give the parties involved and the people who are very directly involved in the services provided by these three agencies a time in which to give us more input and if changes need to be made, I know that this assembly will address those changes. Thank you, Mr. President.

THE CHAIR:

If you will not remark further, will the Clerk please an immediate roll call on Senate Amendment Schedule B.

THE ASSISTANT CLERK:

A roll call has been ordered in the Senate. Would all Senators please take their seats. There will be an immediate roll call in the Senate.

THE CHAIR:

Machine is open. Please cast your votes. Machine is closed

and locked. Total voting 36, necessary for passage 19, there are 35 yeas, there is 1 nay. Senate Amendment Schedule B has been passed.

THE CLERK:

Clerk has Senate Amendment Schedule C, File 898, Substitute Senate Bill 357, LCO 8553, copies are on the desks. LCO 8553.

THE CHAIR:

Senator Reimers.

SENATOR REIMERS:

Mr. President, this amendment is designed to move the Agricultural Experiment. I move the amendment LCO 8553.

THE CHAIR:

Very well.

SENATOR REIMERS:

Thank you. It is designed to move the Agricultural Experiment Station from the Department of Agriculture to the Office of Policy and Management. The reason for this shift has to do with the nature of the department or the Agriculture Department and of the nature of the Experiment Station. The Experiment Station is supported by trusts and grants which would cease to exist if the Experiment Station ceased to be a separate entity. The Filer Committee recommended that the station be considered part of the Executive Office of the Governor which formalizes its present defactor arrangement through the Governor's existing Presidency of the Board of Control. I would urge the passage of this amendment.

THE CHAIR:

Senator Baker.

SENATOR BAKER:

Mr. President, I have no objection to this amendment. The committee's thinking was when we attached the Agriculture Extension Station to the Agriculture Department was because of their obvious connection and we attached them there only for administrative purposes only, however, I understand the information that Senator Reimers has obtained from them does create problems and I have no objection to their being attached to the Department of the Office of Policy and Management.

THE CHAIR:

Will you remark further on Senate C? Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, I also rise to support the amendment. I think it is consistent with the overall purposes of this reorganization bill and protects the integrity, in a legal sense, of this Experiment Station insofar as its title to certain farms that it owns is based on it existing separately and not for administrative purposes under another agency.

THE CHAIR:

Further remarks? If not, the question is on the adoption of Senate C. All in favor please signify by saying aye, opposed say nay. The Chair recognizes one nay and the rest ayes, the ayes have it. Senate C has been adopted.

THE CLERK:

Clerk has Senate Amendment Schedule D.

THE CHAIR:

Just a moment, please, Marcia. In the future, if there are going to be nays, and only you know that, if you would like a roll call, let the Chair know, otherwise we will proceed on amendments with voice vote unless you want to be recorded in opposition. Just let me know. Pardon me, Madam Clerk. Go ahead.

THE CLERK:

Clerk has Senate Amendment Schedule D, File 898, Substitute Senate Bill 357, LCO 8822, offered by Senator Gunther and copies are on the desks. That's LCO 8822.

THE CHAIR:

Senator Gunther.

SENATOR GUNTHER:

Mr. President, I move adoption of the amendment and waive the reading. I'll explain it. It's quite simple. What this does would add the words, "The General Assembly shall establish minimum qualification for department heads. I think our great concern here on reorganization and we have this 422 page bill and we've had at least three amendments so far that have gone thru for various reasons and that, but here we are talking about setting up a series of about 21 czardoms in the State of Connecticut that answer only to the Governor and giving tremendous responsibilities to each of those individuals and yet there's not one word that would allude to minimum

requirements for the heads of those departments. I think every one of us that have watched government year after year have wondered how come we had the heads of departments come in here with absolutely no qualifications and I know, we in the Circle, know why they got there. We know darn right well it's the patronage system and that, but I think if you're going to take and have this type of reorganization with 21 czars running each one of these departments which apparently we're headed for, I think we ought to take and have the assurance through the legislative process that when we establish this, that we should have at least minimum standards for each one of these people that are going to head up these departments, so that I feel that this language is quite simple. We have another year. This won't be set up until January of 1979, and we have plenty of time to sit down in the interim and develop 21 minimum standards for the 21 heads of the various departments that will be appointed to these positions and I think this is important as it is to move the Agricultural Station out of where it was, none of the other things that have been amended so far to where they are, and I think this is something we should seriously look at, and when we take the vote, may we have it by roll, Mr. President? In fact, may I suggest that I think all these amendments ought to be by roll. I think this is an important issue.

THE CHAIR:

Thank you, Senator. Are there further remarks to be made? Senator Baker.

SENATOR BAKER:

My objection to this is it's fundamental. I think that it goes to the issue of separation of powers. If we are going to give the General Assembly the power to establish minimum qualifications for the department heads, I think we are going to be going over the line of the separation of powers. The General Assembly, under the bill, has a right to confirm these appointments. If we feel that there are political hacks that are given these jobs, then we can reject the action taken by the Governor. No other states that we've studied have this type of legislation. I would respectfully ask that you vote against this amendment.

THE CHAIR:

Senator DeNardis.

SENATOR DENARDIS:

Yes, Mr. President. I too rise in opposition to this amendment because I think that, upon the passage of this bill, and I trust that it will pass this General Assembly, there will be an important standard for administrative competence and that will be a bottom line standard for the capability and performance ability of the Governor of this State. The Governor will be on the line, the Governor will be at the bottom line. She or he will have to pick the very best people because there will be no more buck passing, and so I think this amendment is absolutely unnecessary. In fact, if could be an obstruction to the kind of accountability in administration that this bill anticipates. Thank you.

THE CHAIR:

Will you remark further? If not...Senator Gunther.

SENATOR GUNTHER:

Mr. President, just a quickie. We're talking about minimum standards. We're not talking about over-riding the separation of government. We put in plenty of standards in various areas in our laws that we pass here. We just got thru giving one for the hospital and the health care field. We don't seem to have any hesitation when it comes to taking and setting up a department, an individual unit, and saying what the minimum qualifications have to be. We're not talking maximum. We're talking bottom line, and you're talking about the bottom line being up to the Governor and its performance, whether it's a he or a she, and that type of thing. I think we've seen too many of these, well, I call them political hacks, put into these offices and this is one great agency that you're going to take and put these fellows into that are certainly going to have a heck of a lot more responsibility than any agency has now under the existing law. So, we're talking minimums not maximums, we're not tying hands.

THE CHAIR:

Are you ready to vote? Senator Beck.

SENATOR BECK:

Speaking to the amendment, Mr. President, I would oppose the amendment on two grounds. One, and most importantly, that reform

in the 1970s does place the power and the responsibility in the hands of the Governor unlike reform in the 1940s and '50s which took power away from the Governor and that this will, in fact, require maximum responsibility by the Chief Executive, but secondly, I think that if we attempt to write mimimun standards into law, we either freeze those standards and the whole purpose of this legislation is to make government flexible and responsible. We either freeze those standards or else they degenerate into platitudes, and I do not think this is becoming reorganization at this stage.

THE CHAIR:

Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, I too oppose this amendment. I think that Senator Gunther can address this issue separately if he cares to as the session goes on and we go into the next session. If he wants to go to the separate committees with particular points of recommendation about minimum qualifications for department heads. It shouldn't be done on a broad scale as an amendment to this bill. I'd say also that several of the commissioners as defined in statute already do have minimum qualifications, and if there's a fear that I have about these, it is that often they can be used to create a kind of guild system to create qualifications that are so tight and that revolve so much on a particular kind of experience that they tend to or they can be used to freeze out the public interest.

I don't think this is a good amendment and I hope we vote it down.

THE CHAIR:

All right. Ready? Anybody else? Please announce an immediate roll call in the Senate.

THE CLERK:

Immediate roll call will take place in the Senate. Would all Senators please be seated? An immediate roll call will take place in the Senate. Would all Senators please be seated.

THE CHAIR:

This is on Senate Amendment Schedule D. Machine is open. Please cast your votes. Machine is closed and locked. Total voting 36, necessary for passage 19. There are 8 yeas. There are 28 nays. Senate Amendment Schedule D has been defeated.

SENATOR HANNON:

Mr. President.

THE CHAIR:

Senator Hannon.

SENATOR HANNON:

Point of personal privilege, Sir. At the risk of taking on the fourth estate, I wonder, in the interest of harmony, so that the Senators can get in and out of their seats, if we could ask the cameras from the video media to push back just a hair. I've bumped my head on it twice now and I would think that they would move back in the interest of letting the members of the Chamber

get in and out of their seats.

THE CHAIR:

I don't want any harm and damage to befall you, George. Can that camera be moved back slightly over here? Move a chair, if you have to, behind you. Perfectly all right. Nobody wants to interfere with your right to cover the proceedings of the Senate, but move it back a little bit, please. Please proceed.

THE CLERK:

Clerk has Senate Amendment Schedule E, File 898, Substitute Senate Bill 357, LCO 5881, offered by Senator Flynn, copies are on the desks of the Senators. LCO 5881.

THE CHAIR:

THE CHAIR:

Senator Flynn.

SENATOR FLYNN:

Mr. President, I move adoption of the amendment.

THE CHAIR:

Do you care to explain it, Senator Flynn?

SENATOR FLYNN:

Mr. President, this amendment is intended to keep intact and completely independent the Commission on Fire Prevention and Control. Mr. President, this legislature in 1975 enacted legislation which instituted this particular commission. Its purposes, think, were needed at the time, and they are needed just as much today. If you look at your file copy, you'll get an indication as to some of the things that this commission does. For the first time, after

the passage of the initial legislation which created this commission, there was a great degree of cooperation between both the paid and the volunteer firemen of our state. This particular subject, Mr. President, has been the subject of some controversy and there has been an honest effort made to try to work out some of these differences. As recently as this weekend I talked to many firemen in my own district, gave them the alternatives and spelled them out as well as I could, and they indicated to me that their position remained the same. They felt they should be left an independent body. I suppose, Mr. President, what we're really concerned with in this amendment is whether there should be any amendment of this kind at all. I respectfully urge, Sir, that there should. We're talking about people, who in many cases without pay, venture out in the dark and wintery nights of winter, break the misty morning silence as they head out to fires, risk their lives in doing so. And we're here today offering this amendment in response to the letters and calls and the petitions of many of these people, and what else should we be here for? For, after all, if this General Assembly cannot listen to the petitions made to representatives who sit here, then we shouldn't be here at all. I would urge passage of the amendment, Mr. President, because I think you can make a logical distinction between this group and others which are incorporated in the main bill, and with few exceptions, to few really to mention, most of the fire-fighting in this state is done by people for municipalities. That certainly

is a distinction which can be drawn as opposed to so many other state departments. Really this commission acts as a gathering point for these many municipal departments throught-out the state. I'd urge passage, Mr. President.

SENATOR MORANO:

Mr. President.

THE CHAIR:

Senator Morano.

SENATOR MORANO:

Mr. President, I rise to support the amendment. Senator Flynn has echoed many of the remarks that I endorse. I would only call to mind to Members of the Chamber that the people that we represent back home are in a state of confusion. They don't know who to believe or what to believe, but I know what they want. They want us to want to continue as they've been going. In my town there are 8 volunteer fire departments. Strangely enough you might think that Greenwich has a paid fire department. It does not. Paid drivers, but volunteers who give of their time, ready and willing at all times to come to the rescue of the people of our town and for that reason, and that reason alone, I support this amendment.

THE CHAIR:

Senator Houley.

SENATOR HOULEY:

Mr. President, Mr. President, I'm very sad today to stand up

for the first time since 1969 and say some of the things I'm going to say, because I'm going to oppose the wishes of the Connecticut Fire Service and I'm going to state, as best I can, why. The firefighters of this state, Mr. President, without debate, have the respect and I think the confidence and the love and the thanks of every citizen of this state, and in that respect I'm certainly no exception, but we have a matter today that deserves not to be glossed over and not just to say I received the petition and my chief would like me to vote to separate the bill and to leave the Fire Commission as a separate entity. At least not without good reason. The Fire Commission that was discussed is approximately 2½ years old. There are many in this Chamber and there are some in the gallery that remember the difficulties that were involved in launching that commission. They recall the deep distrust of the volunteer companies vis-a-vis the paid uniform services, and there's a great many in this room that fought very long and very hard and they knocked heads together and they explained the reason for the creation of the commission and after some pulling and some tugging and some gnawing and indeed some harsh words on occasion, everybody came together and we did have what is a model in the nation of a fire prevention control commission, and it's a good commission, and it's done a good job, and it's going to continue to do a good job, whatever the outcome of this particular amendment before us. It's going to do a good job because, despite occasional minor differences between the two

elements of the fire service in Connecticut and I suspect elsewhere, they have a common thread. That common thread is they are all one, fire-fighters, and that's a bond that unless one is either a fire-fighter or very close to a fire-fighter, is difficult to understand, but they understand it, most of us understand all too well, and it's a magnificent characteristic, but in this bill, let's go back and examine what has occurred. Initially, the Filer Commission made a recommendation that the Fire Commission should be placed under the Department of Motor Vehicles and at that time, many felt that that was not a good move, and perhaps they were right. I suspect they were. And so, they decided that it was their prerogative that they would advise those that were working on the reorganization bill, what their feelings were, and who can quarrel with that? And on April 7th, Mr. President, Mr. William Porter, the State Fire Administrator, who is in effect the executive director of the Fire Commission wrote indeed to the Honorable Pat Handle and the Honorable Wayne Baker and they expressed their point of view, and I will quote now, Mr. President, from the final paragraph: "As representative of the State's 21,000 Fire-fighters and because this commission is the voice through which those on the local level can be heard on the state level, the commission strongly feels that in any reorganization of the state government the least that it can accept in good conscience is the ability to report directly to the Commissioner of the proposed Department of Public Safety. Anything less, the commission feels

will be a dereliction of its duty to the paid and volunteer local fire departments through-out the state." The G.A.P. Committee, Mr. President, Members of the Circle, understood this letter and they thought about it and they said "that's right." And, indeed, they placed at the specific request of the commission itself, the commission for budgetary purposes only, for budgeted purposes only, underneath the Department of Public Safety, and now, Mr. President, we're talking today of some 21 or 22 agencies and they're listed there, Education, Mental Health, Hospitals, major, absolutely major functions of government, and we would be facing an amendment that would say we're going to create the 22nd separate department within the State of Connecticut and that there's going to be a five member $178,000.00 funded commission and that's going to be the 22nd agency of the State of Connecticut. Okay. I understand that. They made their views known to the G.A.P. Committee on the 7th of April and shortly thereafter made some adaptations, but they didn't know about this. At that point, they weren't sure what G.A.P. was going to do, so they used a devise which is perfectly acceptable, they went to the State Firemen's Association and they said to the State Firemen's Association, "Fellas, we got an awful problem in Hartford. We've got to do something about it. Let's pass a resolution that says we've got to stay unto ourselves because we can't be under the Motor Vehicles Commissioners" and they were right, but nonetheless, they're where they requested to be, and the State Firemen's Association let everyone of us know

through petitions, through telephone calls and through letters that they had to be absolutely separate. This week-end I visited some of my fire chiefs. I have fifteen each of which have two minimum fire companies and one city has two different departments with nine total fire companies and I talked with some of the boys in the fire service and I said, "What would you like me to do, Fellas? What do you understand this to be?" And it's amazing, they told me many things. When I showed them this letter, to the man, they said, "Now, wait a minute. We in the fire service have never gone back on our word, and if, indeed, the Fire Commissioner, excuse me, State Fire Administrator of the Fire Commission, signed his name to a letter and said something would be okay with him, that's okay with us, and besides we trust you, Houley. You've never lied to us. You never looked us cross in the eye, and if it's your opinion that there'll be no damage done to the fire service in this state, then you exercise your best judgement." Many of you remember Frankie Burns, God rest his soul, Andy Flanagan, Howard Reynolds, guys who spent for no fees dozens of the years of their lives representing the fire service of the state both paid and volunteer. We would never be in the position we are in today where we have an honest disagreement, under any conditions, if those gentlemen were representing the fire service today, because they would say, "This isn't the kind of relationship we have with our government, because our government has hurt us." And they have. And they hurt us 2½ years ago when we wanted to create this com-

mission, when it was a 22,000 agency within the State Technical Colleges, when they under the thumb of the Executive Director, Mr. Tash of State Technical Colleges and they said we've got to move out. We've got to get some federal money. We've got to give some new programs, We've got to support and sustain the fire-training schools and the county associations and the State Firemen's Association." And they got their commission and they went from $22,000.00 in '75 and '75 to $178,000.00 and there's no question that if they need or want more and can justify their position, they'll get that, because this General Assembly is not, is not, an enemy of the fire service. We're not attempting to destroy the fire service. There isn't a man in here that wants to harm the fire service because we respect them too much. And yet, we find we're being asked today to take this commission and make it the exception to our 200 odd agencies, and create it as the 23rd or 4th function of government unto itself and that's an unfair request, particularly when the public is saying, "Please reorganize." When we say for budgeted purposes only, when we leave the Executor Director, when we leave them the kind of budget decisions that they themselves make, their policy decisions, and traditionally have. In one letter today, signed by one of their representatives, Deputy Chief William Kinney, it says here, "In closing, it must be remembered that fire protection is a vital necessity to every citizens of the state." That isn't the issue. Nobody's debating that issue. We're in unison on that. But he

goes on, "because of the complexity of the subject and because of the enormity of the fire problem, the commission on fire prevention and control must retain its present status directly reportable to the Governor. If the Commission does not maintain its present position, the demoralizing affect on the fire service will be incalculable and fire protection for the public will suffer." Who says so? Chief Bill Kinney? Why? Supposing a Governor in the future, now or in the future, who they currently report to, decides that that Governor is not happy with the policy, why can't the Governor say, "Hey, hold it! Change your mind." And that's exactly the same simile as the Director of Public Health and Safety and I'll tell you why the Governor wouldn't try to change their mind nor would a Director of Public Safety. Because the fire service is too well respected, and this is the first time in anybody's memory that we have seen disagreements between the volunteer and the paid services and this is the first time in my recollection that we're having somewhat harsh words, and I think it's very sad. I think it's very sad indeed. Prior to the establishment of the commission, did the State of Connecticut care less? Was the volunteer or the paid departments of this state less cabable? Were they existing and performing their function prior even to the establishment of the commission? And the answer is yes, they were, and they were doing it just as well as they're doing it today, and yet, somehow, I get the feeling that this commission and its Director felt that we haven't had an opportunity, since our inception,

to have a pretty good find out and feel of how tough we are, and here is a marvelous opportunity to test our strength because there are a lot of fire-fighters out there and they all vote and their wives and families do, and we know that, whether we're Republican or Democrat, and we have known that, and we have never, in my opinion, at least not since I recollect it, ever talked about a fire issue in this state where we coined it a Republican or a Democratic or a volunteer or a paid or a uniform services debate, it has always been the fire service, and I hope to God it always is when this debate is over, but it's a shame that we're here today. We don't ignore the fire service. We don't intend to. All you need do is look at the budget that we passed. Fire training schools, Willimantic, Torrington, New Haven, Derby, Tolland County, Wolcott, Fairfield, Quinnapaug, Litchfield, Colchester, every single one of them's budget is up, because we recognize that their cost of doing business in protecting the public safety is also up. When we talk in terms of maintaining base radio networks, we don't fudge. We don't fudge in this General Assembly on fire network. We don't fudge when it comes to a flat out grant to the State Firemen's Association, or to even Warehouse Point Fire District. We never have and we never will. The Chaplain earlier today talked about principles and values. That's part of why I'm standing up taking my chances with a lot of folks out there, because I think the Fire Service has been wrong, absolutely wrong, in asking the committee on G.A.P.

to make it a 23rd branch of government. I've talked, as others have, to the representatives of fire service and we have asked them to work this out. It wasn't until late in the game, until that letter that I read earlier from the Commission itself, was identified. I showed this over the week-end to some of my Fire Chiefs, and their eyes popped out of their head, because this isn't the information they got out in the field, Mr. President. Somehow they got the message conveyed that this General Assembly, through reorganization, was out to get the fire service and that ain't right. In simple words. Now, those in the fire service, they know a couple of things that they know every now and then a fire-fighter steps out of bounds within his own company no matter how old he's been there, how long he's been there, or whether he's a rookie ..... (The electricity went off.)

THE CHAIR:

We're back in business. Recess is over. Chamber come to order. Continue please, Senator Houley.

SENATOR HOULEY:

Thank you very much, Mr. President. Mr. President, occasionally a fire-fighter gets a little off base, and his chief, his engineer, he's got to take that person whether he's a volunteer or whether he's a uniformed paid man, and for the good of the whole, Mr. President, he has to discipline that person in the fire service, and as long as it's done fairly and squarely, while initially there's always some tough feelings, in the long

run, that fire-fighter is a better fire-fighter for it and as long as he feels his chief has been fair to him he'll continue to perform to the best of his ability and noone gets hurt. And we have like-type situation today. I doubt very much if anything I say or have said will change too many votes in this Chamber. In fact it may even lose a couple of votes in this Chamber. Certainly it's going to lose some votes back home in my district, because not every fire-fighter understands exactly what I'm saying and why I'm saying it, but the issue is not, in my opinion, a real issue, because it started out with a legitimate concern not to be buried in the department that it made no sense to be in. The General Assembly's Committee and the Chairman of the people that bring the bill to us heard that honest request, made the adaptation, made the changes and acquiesed to not more and not less than exactly what the commission itself requested, and I can't understand how, in the meantime, they've called out the troops, and I find it's a phony issue that I'm not to concern the fire service because if a one of them will think when is the last time the Connecticut General Assembly has ever given the business to the fire service and there's not a man in the services today that can think of that once. Not in the last five years, ten years, twenty-five years and fifty years, whether it was a Republican House and Senate, and Governor or a Democratic or a combination. This state has always, through its General Assembly, attempted and has, in my opinion, been fair because they respect the fire service.

Whereas today to create a separate bureaucracy, if you will, and the public is clearly saying and this bill is the fruition of that, clearly saying, get rid of all those myriad of agencies so that we can get some response from our government. We're being asked to create a special department where we would not create a special department in an earlier amendment for child day care, blind, handicapped and deaf. Those very important concerns of all of us still for administrative purposes are under an agency. The Agricultural Experiment Station, the first in the nation and one of the foremost, 102 years old, it is not a separate part of government. Where'd that go? Do you take that, Senator Flynn? All right. It's all right, Mike. No, it's okay. Okay. Okay. (Speaking about a sign he had.) Let me wind up. Thank you very much, Senator. You can sit down now. Thank you very much. Let me wind up. The hour's late and I have gone on longer than I, myself, had hoped to, but I went out and I talked with some fire service people-in once instance at a chicken barbecue with a great many of the troops, and they know that every legislator up here, like myself, does the level best that we can for the fire service in any way that's responsible and reasonable, and there isn't a man or a woman in this Circle that can't look anybody in the fire service straight in the eye, whether you're a Republican or a Democrat, a veteran or a freshman. When the fire service needed buildings, this Assembly responded. When they needed funding, we responded. When they needed new emergency communications,

this General Assembly responded, not with lip service, not with "we'll see you next year with dollars and cents," and with the legislation that was required for them to fulfill their obligations and their responsibilities and we do that, we do that gladly and we do that to the best of our ability. I've been able to look the fire service in the eye and I'm going to continue to look them in the eye any time. I'm not their enemy. I'm not standing up here and saying they're superflous. Indeed, I'm not. But I am saying that their request should never be before us because their original request was met responsibly and the 22,000 fire-fighters out there in the field probably will never get the other side of the word because that's the way it works in this business, I guess, and that's too bad. But I'm going to make it my business in my district and at the next State Fireman's Convention to be there and put a sign right on me and say, "I'm loud-mouth Houley that wouldn't support your request and your petitions and I wouldn't do it because it's not fair and it's not right." And if there's anything in my ten years that I think is a fair statement between the fire service and myself, and I learned this over this week-end when I talked to these gentlemen, there wasn't a one of them, there was not a one of them, that didn't say, "You're okay. You've never lied to us. You've looked out for the fire service and whatever you think is fair and reasonable, we know it's going to be okay." Is that conceit, Mr. President? No, no! Because that reflects what every single one of us in this Circle

does with our fire service people, because the few dollars that we spend is the only way we can say to them, thank you, thank you for your service. We are not out to do them in. We are not out to put our thumbs on them. We are not out to contain them. Contrary to the opinion that some would start, we are their friends, but Ladies and Gentlemen, the over-riding factor today is whether or not we can allow what, in my opinion, by a couple of misguided people in the fire service on the commission who overreacted whether or not we can allow them, through petitions, through the letters, to stop us from being responsible. And that's the challenge.

SENATOR STRADA:

Mr. President.

THE CHAIR:

Senator Strada.

SENATOR STRADA:

Mr. President, I respect Senator Houley for his convictions, and I realize that the lights have been on since we started debating and in fact for quite a while before that so the Chamber is very hot, and I daresay that even if it was air-conditioned the last few weeks under the conditions that have existed, it wouldn't be very difficult for anyone of us to lose our cool, because a lot of the issues that we do debate and have to consider are very emotional. People have deep convictions on both sides, and all we can do is attempt to listen to both sides to sift out

what we think might be the truth, to balance the equities, and then to make what we hope is an intelligent, an informed and an honest judgement. But, Mr. President, I for one, do not intend to have my consideration of this amendment or of this vote influenced by an issue that is cloudy, by an issue that is a question of whether or not a certain officer or a certain administrator on a certain commission, allegedly over-reacted, mistated, misrepresented whatever terminology might be used, because I say this to you, Mr. President, even if that were the fact, and I don't concede that because I haven't heard the other side, but even if that were the fact, there are thousands of fire-fighters across this state that have a very deep concern about this amendment, and about their position, and so I for one will not be influenced in my consideration on the amendment based on those certain allegations and I intend to associate myself with the remarks of Senator Flynn and I intend to vote for this amendment.

THE CHAIR:

Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, I rise also to support this amendment. The original intent of the reorganizational commission was to streamline government and to make it more efficient. Senator Houley in his opening remarks indicated that the Fire Commission was operating well, well-organized and functioning properly and doing a heck

of a job. The Fire Commission, not like any other state department, the Fire Commission was organized to help local fire departments to better themselves through training. That was the purpose of the Fire Commission being formed, and Senator Houley is right. We did have a job getting the volunteers together with the paids. We did have a problem on that because they felt they were going to lose their autonomy. The volunteers felt that they would be swallowed up by the paids if they went into this combination, but they were convinced otherwise and they accepted the commission, and now they're working very efficiently, and again, that was the purpose of the commission - to make government more efficient - state government more efficient. This is a commission that operates for local departments who are funded by local people, and the volunteers who are funded through local raffles and give their time for nothing. And they're afraid. They're afraid that they're going to be sucked up into big government now. And they're honest fears, and as Senator Houley pointed out, there may be some problem with the higher echelon in the State Firemen's Association and the Fire Commission and the Executive Director, but that't not what I'm responding to. I'm responding to the fears of the local fire department. If there were a fire in this Capitol, the Hartford Fire Department would respond, not the State Government, and these people want to retain their autonomy, so we're not fooling with State Government. That's not the issue here. We're not fooling at all with State Government. We are just helping local fire

departments get information on new planning, new programs, new training, and that commission works very well, and why disturb it. Then we're saying we're not disturbing it. We're just putting it under a big umbrella for administrative purposes only, and they're saying we're afraid of that. We want to stay the way we are. We're doing well now. We're working well together, so please just leave us alone. And that's what I intend to do, is to leave them alone and vote for this amendment.

THE CHAIR:

Senator Rome.

SENATOR ROME:

Mr. President, Sir, I rise to oppose the amendment despite the fact that I had asked that my name be put on the amendment. As a matter of fact I was one of the early co-sponsors, if not one of the original co-sponsors of the amendment. But I've read, I've listened to Senator Houley, but I've also read the remarks of Ray Shea from West Hartford who is the President of the Uniform Fire-fighter's Association of Connecticut. I really believe he puts things in perspective and I have a great deal of regard. I've never met anyone who has spent more time without compensation and without any thanks to do the job, not for himself, but for the people that he represents in the fire associations. I read the letter, I reread it and I say to myself, I know he's right. At first I think he's right and how do you rationalize where you are. Read his, read his third paragraph and I think it answers all that

we need to know. And then you think about this is a reorganization bill, and we have defined what administrative purposes only means, and it doesn't take away their autonomy, and it doesn't take away their identity, and I do believe that he had bargained hard and very rationally and very reasonably with the G.A.P. Commission, and I believe that their solution with 20-20 hindsight is a proper solution. I know that's not a politically sensible position, but I think it's a morally sensible position for me to take and I believe it is a proper solution to the problem and I would hope that we would set aside our pre-dispositions on this particular bill. Read Ray Shea's letter. Listen to some of the debate and rationalize or reason, rather, as to where we will be if, in fact, the G.A.P.'s amendment is passed. I would support their amendment. I would oppose this amendment for those reasons.

THE CHAIR:

Senator Madden.

SENATOR MADDEN:

Thank you, Mr. President. A question, through you, to Senator Flynn, Senator, exactly how is your amendment going to better the fire service that will be available to the local fire departments in the State of Connecticut?

THE CHAIR:

Senator Flynn.

SENATOR FLYNN:

Mr. President, through the Chair, the amendment which I have

co-sponsored with others leaves that commission independent. How it will better it, the response I think to the felt needs of the rank and file firemen who I have heard from who feel exactly as Senator Sullivan indicated. They, in their needs, are going to get lost some place on that chart that we have before us and for that reason I support the amendment, for those reasons I think that the existing commission left intact will continue the fine job that has been done and that for the sake of some uniformity, that's really all we're talking about here, for the sake of simple uniformity, that certainly is not a legitimate reason when we're addressing this issue. We ought to consider those people who have petitioned the representatives and the Senators, consider what they have said, and I don't think that the issue is clarified by getting into any of the internal workings or personality differences or differences of opinion between the members or among the members of the commission because when all is said and done, seems to me that people I have talked to do understand what is being proposed. Those most directly affected do understand what the alternatives are and they support an independent commission.

THE CHAIR:

Senator Schneller.

SENATOR SCHNELLER:

Mr. President, I rise briefly to associate myself with the remarks of Senator Houley. I think we have a bad issue here, but oc-

casionally in this Circle, we have to vote on a bad issue. Voting against this amendment would appear as though you're against fire fighters and nothing could be further from the truth. I think if you look at the history of the bill before us you'll see that a great accomodation has been made to the fire fighters. The amendment that we approved earlier redefines the relationship between the department of public safety and the commission on fire prevention and control by placing the commission within the department for administrative purposes and we've been over and over again what administrative purposes means. It basically gives them budgetary autonomy and the same kind of autonomy that we have today. The amendment further retains the office of the state fire administration including its authority to appoint the state fire administrator which the original bill would have transferred to the Department of Public Safety, so a further accomodation has been made, and I think as Senator Houley so eloquently expressed it, every Senator in this Circle has great admiration and respect for the fire fighters of this state, and I do not believe that by defeating this amendment, we would be curtailing the authority and the ability of the fire fighters to function any more than we're curtailing the ability of many of the other commissions to function under this reorganization bill. What we are saying in this reorganition is that every board or commission in government must come under some umbrella agency for administrative purposes, and if we believe in reorganization, we ought to believe in reorganization for all

agencies, not just some agencies. It's for that reason that I will oppose this amendment.

THE CHAIR:

Senator Madden.

SENATOR MADDEN:

Thank you, Mr. President. I did not mean to relinquish the floor before. I wanted to ask a second question, through you, Mr. President, to Senator Baker, and that is, it's a question, it's a companion question to the one I asked Senator Flynn. Senator Baker, is there any way that the fire service and is the Fire Commission on Fire Prevention and Control won't any way be able to be tampered with by the Commissioner of Public Safety under the reorganization bill as amended?

SENATOR BAKER:

Through you, Mr. President, no, there's no way that any of their policies, rule-making, hiring, firing, can be affected by the Head of the Department of Public Safety.

SENATOR MADDEN:

Thank you. Mr. President, I've been involved with the question of satisfying the needs of the state firemen since the question was first raised here by their representatives. When they came to us initially with their concerns as to the reorganization bill, I listened to those concerns. They had a valid point. The commission was basically being dismantled and they had a request that they not be dismantled, that it was not in the best interests

of the people of the State of Connecticut that they be dismantled, and they were correct in that assessment. They spoke to many of us, each and every one of us, about their concerns, and they spoke to the Representatives and Senators on the Government and Administration and Policy Committee. Those people, in my estimation, dealt fairly with their request and did reconstitute them with full independence but simply placing them for organizational purposes under the Public Safety Commission. In fact, they pressed too far, in my estimation, and ended up in a situation that I don't think was in the best interests of the fire service of having the state police brought back into the Public Safety Department. They pushed too far. Mr. President, I find myself in an awkward position politically and personally because early on I promised that I would do whatever I could to assist the firemen to get what they wanted which was independence. The question that's before us is whether, not whether or not they are independent. I believe that either if the bill stands, they'll be independent, if this amendment passes, they'll be independent. Substantively, there's no change, but being young, I made a mistake. I committed myself to vote for total independence without thinking through sufficiently exactly what it would mean in terms of all of the people in the State of Connecticut and on the fire service. The needs of the fire service have been addressed in the bill as it presently stands amended. However, now we must turn to the overall needs of the people of the State of Connecti-

cut. There's not one of us who can sit in this Chamber and know if that it won't be a fact that this amendment passes, when this bill hits the House there are going to be 250 other amendments just like it to get preferential treatment for other departments and commissions and boards, and then Ladies and Gentlemen, the best interests of the people of the State of Connecticut will not be served. This bill does address the best interests of the people of this state. It gives them an opportunity to have a government that is streamlined, efficient and responsive to their needs and capable of delivering certain services to them in a very well thought-out manner. It gives some accountability to state government so that we don't have the pass-the-buck game going on in the State of Connecticut any more. It gives more authority to the State Legislature with the sunset provisions that are in the bill, and Ladies and Gentlemen, every time we take more authority, we're also taking more responsibility. There'll be added responsibility trust upon this body if this bill passes, and I want very much for the bill to pass. I therefore, Ladies and Gentlemen, publicly, must tell you that I'm switching my position. I will oppose this amendment because I think that it will be a death knell for this bill. I urge all of you to rethink your position, to think of it not only in terms of what's going to happen to you when you have to talk to that first fireman. I have confidence in each of you that you will be able to sufficiently explain that the Fire Commission is independent, will

continue to be able to do its job. What I am concerned about, Ladies and Gentlemen, is your ability to talk to the other people that you will meed in your district and try to explain to them why you may possibly have injured an opportunity for them to get better government in the State of Connecticut. Thank you, Mr. President.

SENATOR MARTIN:

Mr. President.

THE CHAIR:

Go ahead, Senator Martin.

SENATOR MARTIN:

I find many problems with this bill and this is just one of them, not the least. It seems strange that such a letter would come out on the very day that the bill came out. We just saw this letter today. I have just, within the past fifteen minutes, been in touch with firefighters in my corner of the state. They've never heard of such a letter. They don't know what we're talking about. They're still waiting for us to pass this amendment. They're counting on it, and I would ask that everyone support it. Thank you.

THE CHAIR:

Senator Ciarlone.

SENATOR CIARLONE:

Thank you, Mr. President. It's very evident from the debate here this afternoon that there are no clear-cut answers on this problem. I think it's evident to me that the Commission on Fire

Protection is not going to scuttle this bill or is not going to defeat our complete reorganizational bill. Since so many questions have been raised and there is no clear-cut answer, I think we have no alternative but to leave an agency that's been doing a good job as is, support the amendment and let's get going with the bill.

SENATOR PUTNAM:

Mr. President.

THE CHAIR:

Senator Putnam. Go ahead, Senator Putnam.

SENATOR PUTNAM:

I have been reading the bill, and I have been reading the early amendment by Senator Baker, that's 9391, and I frankly don't understand why Senator Flynn's amendment is needed. If you'll look in the bill, you'll see that on line 1645 we give the Commission, we strike out the work Commissioner, we give the Commission the authority to establish all the minimum standards. We next give it all the authority for in-service training. We next give it all authority for hiring, we giving it all authority for reporting in its annual report and finally, just to make sure that the Fire Service is going to be independent, and this is an amendment we've already passed, to make sure they're going to be independent, we add a new one which says prepare its own budget and hire its own personnel, if any are authorized by any provision of the general statutes, and we have a budget that we passed for

them anyways, so they have the money, they have the independence, they have the authority. We've just given it to them already and I appreciate why other Senators wish to make it totally independent, but it does not, in my opinion, give them any more than what we've given them so far, and I would hope that we would vote against the amendment, that we would support what we've done, support the fire service and vote against the amendment.

THE CHAIR:

Senator Hudson.

SENATOR HUDSON:

Yes, Mr. President, I rise to support the amendment and I'm sorry that Senator Madden has left the Chamber and I'm sorry that he decided to change his vote. He asked a question earlier to Senator Flynn, I believe, as to why Senator Flynn thought his amendment what it would do to improve fire service, what impact this amendment would have. Senator Flynn answered something about the felt needs of the fire fighters and I really think he hit the nail on the head, because people only perform well when they feel good about themselves and about the job that they do and about the legislature that supports them and I think that this bill does violence to those feelings. I think the bill and some of the amendments that we've acted on does violence to the feelings of a lot of people who are to carry out the programs that we mandate in statute, that it shows, really, contempt, on our part. For administrative purposes only, indeed. We have no fiscal note again on this amendment

as to what we're going to save in dollars by having the administration of this commission handled by the Public Safety Department. I don't know how much it's going to cost to move a few typewriters, to share a secretary. I don't imagine we're going to save very much money, but we may lose a great deal, in terms of the morale of the people who work to put out fires in our community, and that morale is worth a few bucks to me, and it ought to be worth a few bucks to you. I'm sure it's worth more than a few bucks to the people of the State of Connecticut.

THE CHAIR:

Senator Johnson.

SENATOR JOHNSON:

Our job here today is to vote on this issue in the light of the fact that we have and I think that Senator Martin's argument that her people don't know anything about the letter is not a valid one. We have before the evidence. We have before us the fact that the petitions were circulated with the words in it, "will vest all duties in the new Commissioner of Public Safety," we know that is not so. We also have other statements in the letter of April 7th that, if you read it carefully, you can see all their conditions were met. It is our responsibility to take into consideration their concerns and evaluate whether they have been met. In this case, Ladies and Gentlemen, I commend Senator Baker and Representative Hendle for having listened and listened and listened and made every effort to meet those conditions and I

think it is our responsibility to vote from maximum knowledge and not to be afraid to go home and say, "I appreciate your concern, but your information was wrong, and this is the way it is, and you can be independent," because if we don't have the courage to say that to this group, how are we going to have the courage to say to other groups that we have put in the bill for administrative purposes only, this does assure autonomy. They will then turn to us and say, "No, it doesn't assure us autonomy, or you wouldn't have given the Commission on Fire Prevention and Safety a different status." We are undercutting our entire rationale if we make a change in this case and I urge you all to vote the amendment down.

THE CHAIR:

Yes, Mr. Leader.

SENATOR LIEBERMAN:

Mr. President, Mr. President, we are dealing in this bill, with many things, one of which I think is the general idea of change and change can be many different things to many different people. To many people, change is discomforting, disconcerting, indeed, frightening, and I think that's what's happened in the case of this particular amendment. Mr. President, as people who are used to doing things a particular way in our state government, and I say that with all respect, read this bill, some of them have become very uncomfortable because the bill will change the way that they are doing those things, and we, beginning with Senator Baker,

Representative Hendle, the G.A.P. Committee have had to evaluate those expressions of anxiety and anger and opposition and decide which had any merit to them and which were purely emotional and psysological and did not have enough merit to lead us to alter this bill. Mr. President, the Senate Chairman of this Committee has shown today that he is not inflexible or unyielding. He himself put forward two amendments to alter the original file copy of the bill because, I think, he accepted the notion that those alterations were valid. He supported another alteration put forward by Senator Reimers, but he in his good judgement, and I agree with him, has come to the conclusion that this amendment should not be supported. Mr. President, I've listened to the argument very carefully on both sides, and I've come to the conclusion that the proponents of the amendment have not sustained the burden of proof. I don't think a strong enough argument has been made on behalf of the autonomy of the Fire Service Commission of the state to justify the creation of a separate entity of state government for that purpose. Mr. President, with all respect, I think that the opposition to the proposal to put the Fire Service in the Public Safety Commission is largely psychological. I understand it, in some ways, I sympathize with it. I think in my judgement, I'm prepared to stand up and say to those who are here today, and to any of the firemen back in my district who do not agree with me, we did this because we thought it was right, because the people have asked us generally to bring change and streamlining to our

state government, and because we ourselves, regardless of what the people have said to us, feel that now is the time to reorganize state government. I think it's very important that this amendment be defeated.

THE CHAIR:

Senator DeNardis.

SENATOR DENARDIS:

Mr. President, very briefly, I rise to associate with the remarks just made by Senator Lieberman and earlier by my seat-mate, Senator Houley. I, too, like Senator Lieberman, listened very carefully to the debate this afternoon, had not previously locked in to a position, had read all the material that was forthcoming, was prepared to go either way, frankly, depending upon the persuasiveness of the debate. I do not think, however, the proponents of this amendment have been able to sustain a strong position, and a compelling one, and my seat-mate to the left, Senator Hudson, says that perhaps it is a question of feelings, how they are regarded. Do they feel support from those of us in this Circle. Well, I would submit that if that's the only reason for the amendment, that we can take exerpts from this debate and mail them to every firefighter in the state because practically everyone who has risen has had nothing but the highest compliment to pay to the fire fighters of this state or perhaps we could pass, all join in co-sponsorship of the passage of a congratulatory resolution, which I'm sure would sing the praises of the fire fighters of this state.

Perhaps that would get the message across that we do hold the fire fighters' in high esteem, however, getting down to the business of reorganization, every entity will have an administrative home and this commission should be no exception. I don't see, I don't see the distruction of the fire service in this state be virtue of this amendment. I think Senator Putnam has indicated a line, chapter and verse that the commission will have independence, they will have decision-making power, but they will be in the administrative heirarchy and they should be, and I am prepared to vote no on the amendment.

THE CHAIR:

Very well, if there are no further remarks, will the Clerk please announce an immediate roll call in the Senate. Immediately. Let's get to the caucus room and see who's in there.

THE CLERK:

Immediate roll call has been ordered in the Senate. Would all Senators please be seated. Immediate roll call has been ordered in the Senate. Would all Senators please take their seats.

THE CHAIR:

Machine is open. Please cast your votes on Senate Amendment Schedule E. Machine is closed and locked. Total voting 36, necessary for passage 19. There are 19 yeas and there are 17 nays. Senate Amendment Schedule E has been passed.

THE CLERK:

Clerk has Senate Amendment Schedule F, File 898, Substitute

Senate Bill 357, offered by Senator Morano, LCO 8818. 8818. Copies are on the desks.

THE CHAIR:

Senator Morano.

SENATOR MORANO:

Mr. President, Members of the Chamber, I move the adoption of the amendment. With the permission of the President, I'd like to summarize, the Chamber, I'd like to summarize the amendment.

THE CHAIR:

Permission is granted.

SENATOR MORANO:

The amendment before you preserves the State Safety Commission. It places this commission within the Department of Public Safety for administrative purposes only and allows the State Safety Commission to enjoy independent status. State Safety Commission is a commission that I've been interested in the past sixteen years and for the benefit of many of you who do not or are not familiar with its function, I would like at this time to point out to you what it does. It's a 21 member board without compensation. The Governor in recent recommendation in the budget was some $59,000.00 plus and in the wisdom of the Appropriations Committee, they raised it $20,000.00 recognizing the fine job that State Safety Commission performs. You must realize that the safety of our youth and our elderly, the groups which suffer the greatest number of accidents and those persons of all ages

in between will be influenced by the type of public safety department we create. I cannot imagine this public safety department doing its best job of reducing accidents without the Connecticut Safety Commission. The Safety Commission is our only state agency now involved in all areas of accident reduction. This means that it is the only agency working to prevent most accidents in homes, most public accidents, whether from snowmobiling to swimming mishaps and the many highway accidents that seriously injure or kill pedestrians and bicyclists. We save nothing by eliminating this agency. Its members are all volunteers who donate their time. The state will likely lose thousands of dollars of money which would be spent on safety programs. Commission members have urged their companies or business associations to support the agency programs. One commission member arranged for the Wine and Spirits Wholesalers Association, of which he is also a member, to spend $15,000.00 to print alcohol safety cards for the commission. These are now being distributed to every driver in the state with license renewals. Insurance companies and businesses have literally printed tens of thousands of pamphlets for the commission and its members urgings. The members of the Safety Commission are important for another reason. Safety programs cannot succeed without the public's wide-spread acceptance and cooperation. State government cannot achieve this public involvement by promoting programs unilaterally from Hartford. The commission members, has representativesfrom business, industry, community groups and local

government, work to assure that our safety programs are a statewide joint effort. Then each person contributes from its resources and expertise in (inaudible) effort anc corresponding (inaudible). The dommission members have also proven to be valuable links to local communities beyond providing government already access to communities and necessary feedback they organize and assist local programs themselves. The commission is responsible for thousands of dollars in highway safety monies going to local communities to help reduce accidents. The Safety Commission has a distinguished history of forty years of programs that have been affective. It has recieved dozens of awards from groups like the National Safety Council, and the American Automobile Associations which survey all fifty states programs. Because of the Safety Commission, they have consistently found Connecticut programs the best, and because of the Safety Commission, Connecticut is now the safest state in the country. The Safety Commission is an idea that works and it will work within the Public Safety Department. I say, let's put it within that department to help the Public Safety Committioner do the job. I know we want them to do. Keep Connecticut the nation's safest state. I urge you support the amendment.

THE CHAIR:

Senator Baker.

SENATOR BAKER:

Mr. President, very briefly, I would hope that all of the

Members of the Circle here would find that they would be able to vote against this amendment. By establishing the Public Safety Department that we're going to establish in this department, we will not need this commission. One of the things that we've discovered in dealing with reorganization is that when we discover a problem here in the legislature we really hammer it as I said with commissions and agencies. In going through our statues, I came across a legislative commission on human rights and opportunities, there is an executive committee on human rights and opportunities, and there is a commission on human rights and opportunities and the latter is the only functional one. By extablishing this commission back in the Public Safety Department, we're going to be doing just what we're trying to stop, and that's duplication and limiting responsibility because what happens is when you have several commissions, the buck-passing starts. I would hope you could oppose this amendment.

THE CHAIR:

If there are no further remarks, we'll go ahead...

SENATOR MORANO:

Mr. President, speaking for the second time, please.

THE CHAIR:

Go ahead, Mike.

SENATOR MORANO:

Mr. President, when I first read the report I thought it was a good idea myself, but then I began to ask who might be the head of

the new Public Safety Department, and the answers I received probably and most likely, the Commissioner of State Police. Now I have no objection to the ability, to the integrity of the State Police Commissioner, Ed Leonard. I think he's a good State Commissioner, but I am concerned about the too many. The too many responsibilites we place on him as head of this Commission. Our highway fatalities are growing. Our crime in the state is increasing and this all involves police work by the state police. There is a branch of the state police working within the state revenue commission, state police are active in narcotics investigations and other criminal work. We don't have enough state policemen to start with, and I think that the Commissioner of State Police, if he is the head of this new department is going to have more than he can handle. I think the State Police should be an entity in itself. I don't care if that sign says 21, 22 or 23 or 25. It was 180, 200, 220. There's no law saying we've got to keep it under 25. There's no law saying it can't go to 30. We've got to keep our commissioners in line to carry out their job, and police enforcement, law enforcement is an important job and I don't think that person should have to be worrying about a responsibility of a commission that has been existing and has been doing an outstanding job recognized nationally, and for that reason I think the amendment is a good one and I think it should pass.

THE CHAIR:

All right.

SENATOR HUDSON:

Mr. President, briefly.

THE CHAIR:

Go ahead, Senator Hudson.

SENATOR HUDSON:

I rise to support the amendment. Senator Baker mentioned the human rights committees and the human rights council or some such thing and the human rights commission, only one of which was functional and only one of which they kept which is exactly what should have happened, but I'm concerned about the disintegration, the destruction of those commissions that do work and the Safety Commission does work. Competent, able people, serving without compensation, doing an admirable job. I don't think in reorganization we should take the ax to government and say we're going to get rid of all commissions. I think we ought to get rid of those commissions that aren't doing a job, that aren't functioning. This commission is functioning, has been, and I hope will continue to be functioning, and it's a good amendment and I hope we pass it.

THE CHAIR:

All right, if there are no further remarks, we'll ask the Clerk to announce a roll call in the Senate. This roll call will be taken on Senate Amendment Schedule F.

THE CLERK:

Immediate roll call has been ordered in the Senate. Would all Senators please be seated. An immediate roll call has been ordered

in the Senate. Would all Senators please take their seats.

THE CHAIR:

Machine is open. Please cast your votes on Senate F. Machine is closed and locked. Total voting 36, necessary for passage 19. 13 yeas, 23 nays, Senate F has been defeated.

THE CLERK:

Clerk has no further amendments.

THE CHAIR:

There are no further amendments. Senator Baker.

SENATOR BAKER:

Mr. President, to remark on the bill. I know we're all tired and want to get out of here. I will try to keep it as brief as possible. I referred earlier to the previous reports on state reorganization. Thing we learned from these reports and what we truly know is that political parties have alternated in power, societies change, state population has doubled in Connecticut, priorities have fluctuated and the economy has risen up and down. What has not changed over the four years is the observation by all of the reorganization commissions that the executive branch of Connecticut government needs to be structured so it can be more accountable to the people and their representatives. The Cross Commission stated the thesis in 1937 when it noted in its report that the principles of administrative decentralization and of checks and balances have been carried to an extreme in this organization. While these principles are characteristically American and have been

regarded as an essential safeguard against the abuse of governmental power, time has gone on and government has increased in its complexity and it is now obvious to many that these principles tend to diminish effectiveness and to render difficult the fixing of responsibility. People are not concerned with the use of power, but with the abuse. They want responsibility clearly defined so that there will be no passing of the buck. Dealing with this legislation, some of you will say we've gone too far, and others believe perhaps not far enough. However, I think it's fair to say that this reorganization bill deals only with areas where the Government Administration and Policy Committee have found a general consensus for change. There is strong support for this reorganization effort by the public. It's important that we have reorganization now because there is a consensus that has led to a bi-partisan effort to come up with this structure. At the same time, the bill has recognized that state government is a dynamic ...

THE CHAIR:

Just a moment, Senator. Just a moment, Senator Baker. Move the conversations off the floor of the Senate. There are some of us who want to listen to what Senator Baker's saying. Go ahead, Senator.

SENATOR BAKER:

At the same time, the committee has recognized that state government is a dynamic and that state organization must be an

on-going process. If this bill passes, I think we can be proud of ourselves and we can truly say that we've adopted the motto that's on the great seal of the United States,"A New Age Now Begins." I hope you support the bill.

THE CHAIR:

Senator DeNardis.

SENATOR DENARDIS:

Yes, Mr. President, I did not want to let this occasion pass without speaking to a provision of this reorganization bill that, though Senator Baker has made reference to, I think bears some further discussion because the provision of this bill that has to do with the so-called sunset procedure does represent a very important part of the bill today and a very important step for the State of Connecticut as we become the fifth state to adopt this very important procedure of government. And what we are doing by establishing a sunset procedure which would allow this General Assembly's program review and investigations committee to begin in 1980 to review twenty at a clip for five years of our regulatory agencies is to undertake a very important procedure, a procedure whereby we will automatically terminate those agencies cited in the bill and establish a non-routine special event in which continued existence of the program will be the question. We are putting the burden of proof on the regulatory agencies that are cited in this bill and they, under threat of termination, will have to force an imaginative case for their continued existence and for

their share of what is becoming scarce public resources and it will force us as a legislature to consider policy periodically rather than only at times of crisis. It will provide a statutory base for enlarged program evaluation and it will provide statutory support for legislators who find no evidence of effectiveness for programs and want to terminate them but are faced with very strong political pressures to retain them. I'm very pleased with the final outcome of the sunset section of the bill. I think it puts a very important responsibility in the hands of one of our newest and I think increasingly more important committees, the Program Review Committee. As a member of that committee, I can assure you that all of the members of the committee have considered this section of the bill, look forward to it even tho the sunset procedure really doesn't begin until the next session of the General Assembly, there will be some tooling-up activities that the committee toward the end of the present term will begin to take to make itself ready for the first round of reviews. Sunset has been discussed widely in the legislative journals that we all receive, but I think really it comes down to this, that promoting effective sunset is really quite analogous to, if I may use graphic terms, should be like an enema, really forces a constant purge every so often and I think that, Senator Lieberman is grimacing, but the effect, I think the effect on state government will be, in the long run, salutory.

THE CHAIR:

That has nothing to do with Lieberman's mushroom bill, does it?

SENATOR DENARDIS:

I want to say one thing further about the general thrust of organization or reorganization. I don't think that any of us are under any illusions about reorganization. We know that reorganization simply achieved does not make necessarily for better government, but better organization is a component of the move toward better government. Better organization does not automatically guarantee a wiser policy or a more capable administration or a thriftier operation, but it is clear from experience, I think, that none of these ends can happen without it, so I'm pleased today, that after long months of study and hard work, the Government Administration and Policy Committee has come forward with this bill for reorganization which is quite a bit more sweeping than I had envisioned even in optimistic moments earlier in the session. The reorganization coupled with the sunset provisions coupled with the public members on regulatory agencies I think represents a very important piece of legislation emanating from this session of the General Assembly, and I hope, indeed, it will be approved here today and approved in strong fashion by the House.

THE CHAIR:

Senator Gunther.

SENATOR GUNTHER:

Mr. President, first I'd like to react to Senator DeNardis's need for an enama. I guess I'm the only guy here that can legally do it and licensed to do it and I'd love to do it to this bill.

Very frankly, I rise to oppose the bill, and I'm for reorganization but I think it ought to be orderly. I think it should have been done in a different fashion, and when I hear the great reservations outside of this hallowed hall on some of the parts of this bill, even by the people that stand up here and speak as a proponent of it, I worry. I think we can parellel this bill with the one-tier court bill, and we've seen what's happened with that. We've seen the amendments coming in this session, the amendments'll be in the next session and for the next couple of years you're going to have amendments to this reorganization bill to clean up the mistakes that they make today, and I'm damn sure that there's plenty of mistakes in this bill because people that are involved in the drafting and the great demand from the public, I haven't found in favor of this reorganization. They're in favor of a word ... I can't hear myself talk over here, Senator Hannon ... I haven't seen any outpouring of the general public except for the term reorganization. Editorial writers have it all over their editorial page. "Reorganization." About 99% of the editorial writers in the state never read this bill. I don't think they've even started to read it. They've heard a lot of dialogue, a lot of comments about this bill, but I think we're going to have the same darn thing we have with the one-tier court. You do this and we're going to have to nibble away at it from here on in to clean it up and make it right. Now I don't know if anybody's taken the time and I know some people say they've read 422 pages. I'd like

to take just one section and quickly go over it and if you ever read it, the new Department of Health Services is unbelievable. I don't think there's a health director in the United States in one of the fifty states that has the authority or has an organization that's been set up in this department, and if you haven't read it, you ought to read it, because setting up this department I don't know if you'll ever find anybody, and I wish we had my amendment, to set up minimum standards, because anybody who would have the competency to fill the job this individual is being dictated, or I should say, being given, as the czar of the health services in the State of Connecticut including all boards and commissions. Now what we're talking about, state medical examining board, homeopathic medical examining board, osteopathic, theopathic, chiropractic, podiatry, physical therapist, hypertricologist, optometry, here's a goodie, sub-service sewer disposal, sanitarians, nursing home administrators, embalmers, funeral directors, barbers, opticians, nursing, dental commission and the examiners of psycologists. Now, this new head, and read the language, don't tell me that it says that it merely puts him in a position that allows him to take and do certain things, if you read the language in this reorganization, this czar of health, will have the right to set up regulations. He'll have practically the control over licensing, control over the subject matter in examinations and even for the registrations that are issued out of the state health services. It says it right in the bill, and

it says "he shall." About the only qualification here is that anyone of these boards and that will be able to act with advice and assistance, but not authority, because the authority is in that state health director. Now if were passing this to get rid of the present state health director because we want to get somebody in here to fill that job, I'd say it'd be terrific, because I think that the, all you'd have to do, is take a good look at some of the actions and I can site you a court case where he went in and one of the professions through an order from his department was told he couldn't have clinical diagnosis brought out of our clerical labs in the State of Connecticut. They took him to court, and in court, the Judge asked him, "Do you think that that profession has the right to diagnose, does thay have a right to take a history, do they have a right to take and listen to the patient's heart to find out if he has anything wrong with his heart. Does he have, does the particular licensed physician say that he has the right to take xrays to see if there's any fractures and that type of thing?" And to every one of those questions directed to him by the Judge, the state health director's answer was "no." Now, under this bill, that health director or any one in the future, will have the authority to take and set up the subject matter, will practically have total control over that state examining board in a wide range, and I can tell you historically, it isn't only the present health director that's been in that position, whether you take Dr. Foote or you go all the way back to Dr. Osborne, I probably am

one of the few fellows in this Circle that served on a state examining board. There may be some others, but in serving on that examining board I know the responsibilities and I knew the problems we had, and part of it was the lack of knowledge by the state health director in many of the fields, and yet you're giving that individual practically a total control over the whole operation of all the professions in the State of Connecticut. Now, if that's what you understand and that's what you want, I think that's terrific. I feel frankly that it's wrong. Now, Senator DeNardis talked about the public members on the examining boards. This to me is absolute over-kill. Last year we went to putting two members on the state medical examining board and I'll tell you, I think that was a little over-kill because a lot of people were talking about prosecuting incompetent doctors. Maybe you should have taken a look at the law because the law at that time gave the authority to the state health director to take and bring charges against practitioners in the healing arts and then their examining board would have to prosecute them. Now the responsibility laid with the state health director not the examining board. Now we're trying to give more authority to him, in fact, such authority, it's unbelievable, but on every one of the examining boards you're putting a third or better of people in control who are public members, who have no concept of what has to go on in that particular field. Now whether you can take them at random and go down the book and take a look, you'll find many of the boards that have five members, two public members.

Now each one of those boards, if the one appointed professional member should ever join up with one of the two public members or the public member side of it, you'd find out that the one professional and two public could control that board and do anything they want in that particular field. I think the interesting thing is the nursing board where you have two LPNs, five RNs and four public. That means the two LPNs along with four public can control the nursing licensing board in the State of Connecticut as a board. I tell you, you cannot take a look at that section alone without having great reservations of the power and the authority we're putting into one man's hands, and if you don't think that we need to take a good look at this total bill and I just cited the health services because I'm more acquainted with that, but if you take any part of this bill and take a good look at it, look at it like we ought to be looking instead of jamming it through here today, I'll tell you, we should take and turn this bill down. Let's take the leisure of the interim and go to work on it because we could be back here next session because this bill isn't going to be effective until January, '79. We got another session going. The program review that Senator DeNardis talks about - 1980 - that's three years away. So we have no real need to jam this thing through and go after this in this fashion. I think we as a legislative body should have a good long look at it before we take and pass this bill, and I'd hope you support me.

THE CHAIR:

Senator Cutillo.

SENATOR CUTILLO:

Thank you, Mr. President. I rise with mixed emotions over speaking on the bill, not because of the way I'm going to vote, because of the legislative personalities involved, Pat Hendle and my good friend, Senator Wayne Baker, but this reorganization bill, although they've worked hard in the session putting it together, really wasn't their brain-child to start with, it was the Filer report, and I'd like to back to the Filer report to speak on this bill. Having been in General Law, some of the Filer people, and I have to say Filer because it's a Filer report, so they have to be Filer people, made a suggestion in their final recommendation that the Gaming Commission be put with the Tax Department. Now we have testimony up in General Law over the investigation of the Filer Commission pertaining to the Gaming Commission, and no one, no one, from the Filer Commission visited Silas Deane Highway where the commission is located, they didn't even drive by and beep the horn. Now, they made their recommendation tho to state government that this is what we ought to do in implementing reorganization of state government. What is reorganization of state government? I've heard tell, depending on who you're talking to, this is what it is. Well, I'm going to say this to you Mr. President, Members of the Circle, what it is to me. When I'm at

home, in the 15th district, people want to know what's going on up here. Are you saving money? Are there more state employees than there have been before? So, I posed these questions to the Filer Commission first. Are we, you know we're supposed to be against big government, has the Filer Commission once said, we're going to have fewer state employees because of this recommendation. Have they ever once said we're saving a dollar? If we implement this bill, any money saved, I think, will be spent on hansom movers just transporting people back and forth. Let's apply to the bill now. We went through the Filer recommendations and now made the implementations in this bill. Are we still going to have 45,000 state employees? Are we going to save any money? I know this. When I go home, I want to be able to answer those questions. I cannot answer those questions right now. What we're doing is shuffling the cards and leaving the jokers in, Mr. President, Members of the Circle. We're not saving money. We're reorganizing for the sake of reorganizing. I went to a convention in New York in September, before the election, and I met several senators, one senators with eighteen years in the State Senate of Georgia, and reorganization was the topic of conversation, and I won't try to quote the southern drawl, but he said, we organized, we reorganized and it's going to take us eight to ten years to get out of the mess that we're in right now from reorganization. Mr. President, we have in front of us the Reader's Digest of reorganization. Tell the truth and

shame the devil. How many people can say they know what the heck is really going on in this Reader's Digest of reorganization. The two important things that I have cited is are we still going to have big government and are we going to save money? We haven't had that question answered yet. We have answered, oh yes, you know we have a year or so, and then we'll pick out the problems we have and we'll take it from there. The perfect vehicle we had is part of this bill. That's the sunset laws. We should have initiated the sunset laws July 1st of this year to go into each and every commission of state government, not do it in the five month period. We had, last year and I've used this as an example the condominium legislation, landmark legislation, flew through the Senate. Two Senators voted against it. Flew through the House. Republicans and Democrats voted for it. Governor signs it. It's back up here this year because nobody knew what the hell it was all about and that is no where near what this is, and yet, we're going to stand here and vote for this legislation and say well, we have a year to do some patchwork on it. Shame on us if we do that without knowing that it's going to save ten million dollars, without knowing that we're going to have that many fewer state employees. I'm Chairman of a committee, General Law. I've been under some criticism for being against some legislation that mandates that we have more state employees and I'll stand up against this criticism. I don't want bigger government. This bill hasn't shown me where we're not going to have bigger government. It hasn't shown me where we're going to save money. Mr. President, based on

I'm very happy to go back home and tell my people I'm going to vote against this bill.

THE CHAIR:

Senator Reimers.

SENATOR REIMERS:

Mr. President, I have one reservation about this bill and that is the fact that 47 citizen's committees are abolished. I think these citizen's committees are a very valuable part of our state government. They are a training ground for self-government. They are the place where leadership is developed and discovered. I would like to ask Senator Baker if he would be willing to comment on the role of advisory committees under the new structure of government.

THE CHAIR:

Senator Baker, did you hear the question?

SENATOR BAKER:

Afraid you have to repeat the question. Someone was talking in my ear.

THE CHAIR:

Will you please repeat the question, Senator?

SENATOR REIMERS:

Senator Baker, through you, Mr. President, I'm concerned about all of the citizen's committees that you have abolished in this reorganization. It's my understanding that you are creating advisory committees to replace them. I wondered if you would be

willing to speak about the citizen role in government under the advisory committee sections of this bill.

THE CHAIR:

Senator Baker.

SENATOR BAKER:

Well, through you, Mr. President, to Senator Reimers, the vehicle we provided for this is each of the commissioners of each of the departments can appoint as many advisory groups or committees that they wish, of course subject to any budgetary impact that we would then decide upon. In addition, of course, we've provided for citizen input in the area of public members on all of the commissions and agencies that we already have established that we have not abolished, so I think we've provided fully for citizen input in this bill.

THE CHAIR:

Yes, Senator Hudson.

SENATOR HUDSON:

Yes, Mr. President. I rise to oppose this bill. I think it's precipitious. I could support very easily a motion to refer this for the interim and we are not involved in an election next fall and it would be ample time for us to get the needed input on this huge document, and huge it is. The Filer Committee went to the department to get their comments. G.A.P. committee did not go to the department, any of them, to get their comments on the document that came out of their committee, unlike the

Filer Committee's document. They didn't go to the department and say, these are the changes we want to implement. We think it will reorganize government in a more effective and efficient way. We've abolished unneeded agencies and the cost effect. What will it take in your department for this Department of Health, Department of Social Services, whatever, to implement this reorganization plan. Do you have the space? Do you have the staff? What are your needs? We're going to pass this today. We all know that. We're going to pass this bill, and none of us here are going to know the consequences of our act because we're going to leave on June 8th. These departments, and they've got a year have no money on this bill. We're going to say, as we always do when we pass legislation all too often anyway, as we leave after our session is over, implement what we pass because we think it's good, but we're not going to give you the tools to implement it. You've got to make do with what you've got, and I'm going to tell you my departments can't make do with what they've got. I see abused kids and protective workers with caseloads that no one can do. I see an overwhelmed department of social services, constantly in the courts because they can't handle the federal mandate and the courts over the food stamp program and the courts because of early childhood screening, diagnostic treatment programs, an overwhelmed department and noone went to the Department of Social Services and said we're going to move out some of these things, have a Human Resources Department

instead, we're going to take out income maintenance. Senator Johnson says it's a good idea. I work with that department. Senator Johnson does not. I don't know if it's a good idea. I know we're trying to make some kind of sense out of our income maintenance, some kind of sense our of our medicaid program. We had a medicaid study done by program review. What we're doing is very, very major. We're doing it all at once, with no money, no staff, no input from the departments. I had my taste of it last session when I moved a small function from the Department of Mental Health to the Department of Children and Youth Services as I mentioned when I spoke on the amendment, Senator Cloud's amendment, and I can tell you, that you do not know what you do if you pass this bill. There will be time, hopefully, for the departments to call you up, talk to you about it, but what a shame to have to come back, having passed this bill and then make significant and monumental changes in it. It's very hard to change legislation. Everyone's ego is on the line. Everyone's voted for it. No one wants to admit a mistake. It's not easy to amend something that's passed. You sort of get stuck with it, whether it's good or not. I'm not opposed to efficient government, but I have to work so hard to get decent funding for children, for the elderly, people who are poor, that I don't want to see money going to reshuffle cards. I want to see that money, that scarce, tax-payer dollar money, going into service, into programs and also into good people. If

there's one thing state government needs desperately it's qualified people to run the programs that both the federal and our legislature mandate this government do for its citizens. We have a great lack putting skilled administrators into state government and a skilled administrator will save you more dollars than this entire thick document.

THE CHAIR:

Senator Bozzuto.

SENATOR BOZZUTO:

Mr. President, I rise in opposition to this so-called reorganization. I came today hoping to hear specifically what would be accomplished by our passage of the reorganization bill. We were told by the good Senator from that particular committee the intention was to provide adequate state services at controlled cost, and I've listened all afternoon and I've heard no indication as to how we're going to determine what adequate services are or, in fact, how we're going to control the costs. We've heard further that the purposes to recruit good people and to inspire sound decision and frankly, I don't know of any legislation that's going to help a Governor recruit good people, nor do I know how this legislation is going to inspire sound decision when every member of this Circle knows that there are existing agency heads that will continue as super agency heads and if they don't have good decision making power now, they're not going to have good decision making power after

passage of this bill. We had a great deal of debate on one specific amendment and one individual, one Senator, debated long and loud on that amendment said that the issue was a phony. In fact, I say the entire bill is a phony. The only issue I (inaudible) any public input is on that very issue that he referred to from the fire people. In spite of the fact that there've been ads in every newspaper and a determined effort on the part of the business industry and on the part of the editorial background of the papers of this state to indicate to the people that this is necessary and that it would, in fact, do something in terms of Connecticut state government, but in spite of that fact, I've not had one of my constituents say that it was necessary for the public good. In fact, all it really does is give us a new table of organization. Nothing more than that, and I think, I'm going to repeat the words that have been stated here earlier today when Senator Madden asked in terms of administrative purposes only, the response was does that mean there shall be no effect or no control on that agency and there are some 33 agencies that are for administrative purposes only, so we're not changing the complection of those agencies in any effect whatsoever so we don't have 21 but we have 54, and that's not progress. I'll tell you what I think it does mean. It means this. We're going to have an office of policy and management and that's going to be a new level of insulation not only for the people but for us as legislatore because this bill effectively takes away a great deal of all pre-

rogatives. If there is any separation between the legislative and the administrative branch, this is going to continue to reduce the effectiveness that we presently enjoy and create more power in that office of Policy and Management. And who's going to be in that office of Policy and Management? Just another layer of political hack, another minion of the Governor, whether it's Democrat or Republican, someone who's going to be a buffer between the Governor's office and the public-at-large. And higher wages, and who else is going to benefit? Those commissioners that are going to be the super commissioners and are going to receive pays of fifty and fifty-five thousand dollars. So no, no one here today can tell us that it's going to save money. In fact, I'll predict today, that it's going to cost more money. No one here today has told us that's going to reduce the number of employees. In fact, I'll predict here today that when this goes into effect, we'll have more state employees. And no, no one here has been able to effectively point out that it's going to improve the delivery of services. In fact, what it's going to do is to diminish our role as legislators to provide the executive with greater power, to provide a degree of insulation to the executive and to withhold services from those people that deserve it most. Mr. President, I urge the Members of the Circle to join me in opposition to this legislation.

SENATOR FAULISO:

Mr. President.

THE CHAIR:

Senator Fauliso.

SENATOR FAULISO:

I rise to support the bill and to thank the two co-chairmen Senator Baker, Representative Hendle, the ranking member, Senator Johnson and the other people on that committee who worked so hard to produce this document. To those who oppose the bill and are somewhat dismayed by its size, I can only implore and exalt them to have faith and government cannot remain static. It must become progressive, innovative. It's like a house that has deteriorated. It's in disrepair. So has been state government. Our government has become ponderous, cumbersome. We have created many agencies. Many people are frustrated and exasperated. There is no perfect time for reorganization, so I think that the Filer Commission rendered yeoman service. I think the committee, the standing committee on G.A.P. made a contribution to state service in producing this great document, and what they envision in this document, Mr. President, is accountability and manageability and efficiency in delivery of service. They provide for citizen participation and provide for sunset law. I think all of these concepts are included, and I'd like to remind the opponents that change must be made, that because of the size of this document, they should not be confounded or bewildered. This document in essence contains all of these principles that have been articulated by Senator Baker. I see this as a good document, one that

will inure to the benefit of the taxpayers of our state and I'm sure that it will be one of the great documents that we have adopted and a good law. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

SENATOR BECK:

Mr. President.

THE CHAIR:

Yes, Senator Beck.

SENATOR BECK:

Mr. President, it's very late and I'm sure we all want to vote, but I do want to say that I believe that the longest lasting contribution of this reorganization will be precisely the creation of the Office of Policy and Management and if we look at the title of the present office, created in the 1930s under Governor Wilbur Cross, it was the Office of Finance and Control, and I think planning and management is what the present effort is all about and I think when we get done we will find, as we did not find in the hearings under this legislation, that there will be planning and management which is effective and at present, it is clear from the statements and the attitudes of many commissioners, as well as the department itself, that planning and looking ahead is long overdue and I think this will be the real contribution of this reorganization.

THE CHAIR:

Senator Lieberman. You will lead off the six o'clock news.

SENATOR LIEBERMAN:

Thank you, Mr. President. Either that or the cocktail hour. I'm not sure which. Mr. President, I guess that beauty is in the eye of the beholder because this document which some of the previous speakers don't think is very attractive, I think is very, very beautiful. As a matter of fact, in my opinion, I'm speaking of the bill and not Senator Baker incidentally, I want that to be clear from the beginning, or Representative .. well, Representative Hendle is beautiful. Mr. President, if we did nothing else in this legislative session but adopt this bill, I believe we would have had a session full of accomplishment. That's how significant I think this piece of legislation is. Senator Baker and others have talked about the fact that Connecticut State Legislatures, individual legislators, Governors, politicians of both parties have been talking about reorganizing state government for decades now. After all those decades of talk, we are finally about to enact and reorganize our state government. Mr. President, I would say that I'm very proud to be here at this time, on this day, to be part of that action. State government particularly has grown very, very big and in some ways top-heavy over the last decade or two and it's time for this institution that we are a part of, just like any institution whether it be a business or any private association, to take a look at the way it's doing what it's supposed to do and see if it cannot do it better. I think that's what this bill is all about. The reor-

ganization of government, the tightening of the lines of security is the first significant part of the bill. The second is what I think is an extention of a very, very democratic, with a small "d" concept, and that is, that government has to be accountable, that when we create bureaucracies or commissions that are above and beyond the call of the people, that we are diminishing the extent to which our government is pure democracy. By increasing the power of the Governor's office through appointment and administrative control, we're increasing accountability because if the people don't like what their government is doing, they can express it in the ballot box, in their vote for governor in the coming election. Mr. President, there are some very, very profound changes in this bill. That's what surprises me from those members of the Circle who have asked what does it do. Some of the changes are, I hesitate to use the word, they're just about revolutionary. The idea of a sunset provision to tell agencies, particularly regulatory agencies of the state, that they will stop existing unless they justify their continued existence, is in my opinion, revolutionary. Back in the 1930s when federal regulatory power first began to be expressed in a very broad way, President Roosevelt said that the regulatory agencies would be the tribunes for the people. All too often in the years that have followed since then those regulatory agencies have been the tribunes for the interests they were supposed to regulate and here finally, we are saying, let's put a stop to that. You've got to

prove to us every five years that you're doing your job in the public interest, not in the private interest or else you're going to stop existing. The fourth and most significant part of this bill I think along the lines of accountability and openness and public interest is the placement of members of the public on the state regulatory bodies. That, in my opinion, is a small revolution that is accomplished by this bill. Mr. President, I'm going to be very proud to vote for this bill, and I hope it passes by a substantial margin. I would say this, with all respect to John Filer whose commission worked on the issue of state government organization, this is not the Filer bill. This is the Baker-Hendle bill. The is the government administration and policy bill. This is the Connecticut General Assembly bill. This is a bill that we can adopt and adopt very proudly and say we faced an issue, we faced some real serious opposition, we voted for change and I want to personally thank, as an individual Senator and as the Majority Leader, Senator Wayne Baker and Representative Pat Hendle who's here in the Chamber today for their leadership, their persistence and their guts which bring us to this moment of accomplishment.

THE CHAIR:

Senator Johnson.

SENATOR JOHNSON:

Very briefly as the hour is late, through you, Mr. President, I just want to make two very brief comments, one is to thank pub-

licly Senator DeNardis for his, for the bills that he put in, implementing all the Filer recommendations. That give the committee a certain amount of impetus to do a thorough job that was very supportive. His interest in the sunset legislation, his testimony, his constant support, he was one of the few Senators or Representatives to come back with a detailed comment on the first draft. His interest and support of this entire process has been helpful to the committee and I'm sure to the committman chairman and we all thank him. I want to thank the staff for their hard work. Nobody quite knows, not only how much hard work the legislative commissioner's, I mean the legislative research office, Representative Jan Lathan and the G.A.P. staff, the interns and the staff themselves did in terms of additional research, answering questions, correlating information, they have worked very, very hard for these months, and I want to thank them and I want to especially thank Senator Baker and Representative Hendle for their very hard work, their doing their homework, but also their inclusion of the committee, making this bill a committee process, not just a hearing, but the decisions and the negotiations of this last month, the thoughtfulness, the openness to comments from all of you, but also members of the committee. It is not a perfect bill. I'm sure they would not say it's a perfect bill. There will be passages that we will come back and polish up, but it's a good bill. It's a tremendous start. It's a really commendable, thorough-going effort. It's so

much more than it might have been that I'm very proud to be identified with the effort and I thank them for their leadership.

THE CHAIR:

Are we ready to vote? Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, Senator Madden earlier this afternoon said that he had made a mistake on something and I went over to him and told him that he wasn't the first Senator, State Senator, that ever made a mistake, probably won't be the last and it's not only freshmen who make mistakes, and I want to say that I just made a mistake. I called this the Baker-Hendel bill. In truth, I think it's the Baker-Hendel-Johnson bill.

THE CHAIR:

Very gallant, Mr. Leader. All right, now we have before us.. announce the roll call please, Marcia.

THE CLERK:

Immediate roll call has been ordered in the Senate. Would all Senators please be seated. An immediate roll call has been ordered in the Senate. Would all Senators please take their seats.

THE CHAIR:

The Executive Reorganization Bill as amended by Senate Amendments Schedule A, B, C and E. The machine is open. Please cast your votes. Machine is closed and locked.

SENATOR ROME:

Mr. President.

THE CHAIR:

Yes, Senator Rome.

SENATOR ROME:

Announcement of a Republican caucus tomorrow at eleven A.M. please. Promptly.

THE CHAIR:

I'm sure you all heard that. Republican caucus tomorrow at eleven. Total voting 36. Necessary for passage 19. 29 yeas, 7 nays. Executive reorganization bill as amended has passed.

SENATOR LIEBERMAN:

Mr. President, I move for suspension of the rules to allow for immediate transmittal to the House.

THE CHAIR:

Without objection, there will be immediate transmittal to the House under suspension.

THE CLERK:

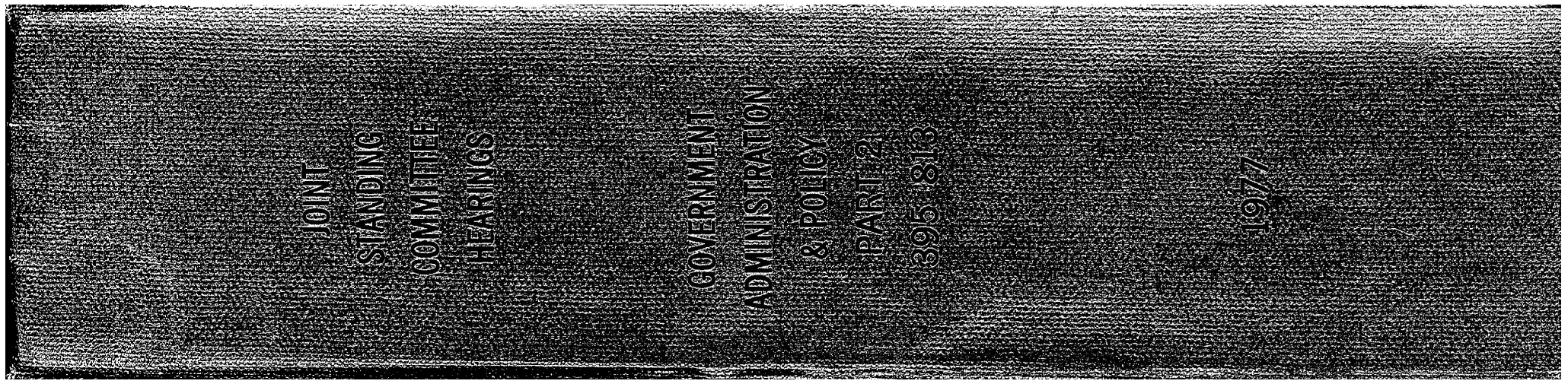
Clerk has received page 2 of the Senate Agenda which has been distributed.

SENATOR LIEBERMAN:

Mr. President, I move for adoption of page 2 of the Senate Agenda.

THE CHAIR:

You've heard the motion. All in favor say aye. Opposed,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REPRESENTATIVE SERRANI: I'm going to have to wait for the Commissioner.

SENATOR BAKER: Are there any other questions? Thank you very much. The next speaker will be Thomas Cosgrove.

THOMAS COSGROVE: Good afternoon. My name is Thomas Cosgrove and I am the Research Director for the Filer Committee under the structure of State Government. I'm here today to talk on Senate Bill 357 - AN ACT CONCERNING THE EXECUTIVE REORGANIZATION OF ACT OF 1977, and also Committee Bill 1569 - AN ACT CONCERNING ORGANIZATIONAL REALIGNMENT OF THE DEPARTMENT OF TRANSPORTATION.

I would like to extend the apologies of my committee for not being able to attend this hearing today. They do intend to be at as many hearings as they possibly can. I would just like to very quickly run down the different proposals that you are going to discuss today. We have in our report, stated that we feel that vocational rehabilitation should be pulled together and put into a human services department. That affects 2 of the departments that you were discussing today. There is a Rehab Unit in elementary and secondary education and there is also a rehabilitation unit attached to Worker's Comp which is aligned more or less with the Labor Dept. We feel that it would be much more efficient if there were one vocational rehabilitation unit in State Government as opposed to 2 or 3 that exist now.

There is some opposition to this from organized labor and possibly from some other people but we feel that is one of the stronger recommendations that our committee has come up with and would implore you to accept that in the best interest of the vocational rehabilitation programs of State Government. In the elementary and secondary education proposal, the only change really is the appointment of the commissioner. My committee feels very strongly that the Governor should have some input to a department which has such a large budget. The point has been made to us that the commissioner should be free because educational policy alway has been ensheltered from the political process. When you look at the Department of Elementary and Seconddry education, in our mind there is not as much policy as one would believe. The policy is usually carried out and decided by local boards at the local level.

A considerable amount of the budget is passed through funds which are procedurally decided upon. We, therefore, feel that there is no reason why the Governor should not directly appoint the commissioner possibly with some involvement of a committee or a board. In labor there are again not too many changes but several of them we consider to be key. Manpower planning, when it is in the labor department, has the pure focus of industrial and labor interests. We feel that if it were put, if manpower planning were put in human services dept., it would go a long way toward adding a stimulus to manpower planning, which is not done extremely well in the State and partly because of funding but there are several other reasons. But at the same time,

COSGROVE (CONTINUED): it would integrate human service manpower problems with the mainstream of planning as far as manpower goes. We think that is a very strong recommendation and we hope that you would accept that also. The public safety functions which are located in the Labor Department, create confusion to builders and a number of people, architects and engineers seem to agree with us that they should be consolidated and public safety seems to be a very logical place to put them if you agree with our proposed Department of Public Safety. On Transportation, and I will try to make my comments very brief, the only thing that we have done is take the, we have taken the rail regulatory function of PUCA and put it into the Department of Transportation. If you look at what that rail regulatory function is, it's a very minor function because the ICC controls most rail regulatory questions. It involves a safety check of all the rail lines in the State once a year, inspecting and investigating each accident at a railroad crossing and several other functions of a similar nature.

But the true regulatory function is handled by the ICC so we don't see a conflict between putting the rail regulatory function in the Department of Transportation. As regards the previous speaker, the committee that I represent, does feel that if you hire a commissioner be it for Transportation, Environmental Protection, Education or whatever area of State Government, that he should be given the right to manage his department, therefore, we haven't in our report, gone through the substructure of each department because we feel that the expert who is hired to handle that department should be given the latitude to structure the department in the best way that he knows how. That would go along with what the previous speaker was saying.

As far as modal splits and where the emphasis would go in a department such as Transportation, under our system of giving freedom to the commissioner to create the department he would be accountable if the Legislature felt that say if the bus mode was overpowering the highway mode or the vice versa, then it would be up to your best judgment to call in the commissioner and say that he was running the department in a way that you found unacceptable, then to get a change in the department you go through the budget or through the Governor or through other means so you would support the ability of a commissioner to run his department as he sees fit. That essentially is my testimony and if there are any questions I will be happy to answer them.

SENATOR BAKER: With reference to your education recommendation the Commissioner of Education that you talked about the Governor appointing you gave a term of 2 years, how did you arrive at that period?

COSGROVE: After lengthy discussion.

SENATOR BAKER: It seems short. Presently, I understand he is for no period, no term.

COSGROVE: Belt #3 There were differing opinions on the term that should be put down for that commissioner. Our primary concern is to make the commissioner responsible to the Governor and we felt that if you had a 4-year term that it would take certain powers away from the Governor and certain powers away from the Board. By making it a 2-year term, we felt that there would be more accountability in the position. A 2-year term, in our opinion, is long enough for a person to carry out policies, I mean it's long enough also to warrant a review of his performance.

SENATOR BAKER: Any other questions?

REPRESENTATIVE SERRANI: The Filer Report calls for the transfer of not only State but it also calls for the economic rate structure to be transferred. The Nelson Report

COSGROVE: No, I haven't. I've talked to Mr. Nelson very briefly about it and I would disagree with it. If you've spent time in PUCA, you know that the rail regulatory function is handled, I think, by one person possibly two at most. It's a very minor function, it goes to the back burner of PUCA because there are, I would say every other function of PUCA has priority over the rail function because it is such a small part of their business. Essentially, it boils down at the present time, to riding the rails once a year. Renting a car and riding around the rails. I just think it clutters PUCA and I would move it entirely to Transporation. I don't think it's that important to function as long as it's performed and it's performed in a way in which it is monitored then I don't think it's location is that important.

By putting it in Transportation, you concentrate your rail outlook of the State and I think there is some advantage in doing that and that's why we recommended putting it in Transportation.

REPRESENTATIVE SERRANI: I must admit that I fluctuate back and forth in my position

COSGROVE: Well, if you're really looking at the rail regulatory question aren't you only talking about one true railroad, the one down in Branford to the shore?

SERRANI: One major railroad, that's not the only railroad the State has.

COSGROVE: But the other railroads as I understand it really come under ICC. So I don't, I would like you to explain how you would see them

COSGROVE (CONTINUED): regulating themselves. I don't understand that they would.

REPRESENTATIVE SERRANI: Well, the point is, having another agency regulate safety for the department
Whereas the Department of Transportation may say well, we really don't need a signal here, it's gonna cost my department so many dollars and we only have this amount of money so let's just put a cheaper signal system in here and let it go at that because we need the money for other things, whereas the PUCA would say look we need this kind of expensive equipment and it has to go in there and that's it and the department has to do it. So in that respect you have a better of public safety.

COSGROVE: I understand what you're saying but aren't you really talking about an interstate railroad. You know, you're talking about a line that would be New York and Connecticut so, therefore, it would fall under Federal guidelines as far as regulatory standards go.

REPRESENTATIVE SERRANI: Well, it does and it doesn't. On any kind of capital improvements that are made along the
is paid for by both New York and the State of Conn.

COSGROVE: Okay, I may be wrong but I understood that there were certain standards that the Federal Government placed over such capital investments which would necessitate a certain standard of safety.

REPRESENTATIVE SERRANI: There are, maybe it's something I can look into further. I do know that any kind of capital investment, any kind of new structure

would be done by the State of Conn.

COSGROVE: I would just wager to say that if you leave it with PUCA, it might be so long before they ever dealt with the question that you're talking about. And I'm not reflecting adversely on PUCA it's just that PUCA is driven by the utility rates, the water rates, so many other issues that rail is there but not functioning as well as it could and I think it would be dealt with better.

REPRESENTATIVE SERRANI: Well you say that you have one person in PUCA that has that function now, if you were to transfer that one person over to the Department of Transportation it wouldn't be any better situation as you heard before the fact that you had 5 or 6.

COSGROVE: But at least there would be other people dealing with rail.

REPRESENTATIVE SERRANI: Just one more question having the commissioner run the department and that if does run the department with respect addressing the problem of public transportation, highways, that he can be called by the legislature and reprimanded
As you know under the system we have now

COSGROVE: I was the transportation planner for a year and a half and the question is dear to my heart. The problem as I see it, I hate to digress, but with Transportation for so many years the Transportation Department has built roads and that's primarily what they did so as we have tried to steer them into different modes the department's mentality, and again, not in a bad sense, it's just the poeple who have been there for 25 years are used to building roads, it's very hard to change that philosophy even if you call somebody a mass transit planner, if he has built roads for 20 years, he has a national inclination to think in terms of highway construction, so it's going to be a long slow process and I think no matter what the structure you create it's going to be slow in changing if you create bureaus and divisions within Transportation, then the Federal money is going to primarily go to roads because it's lagging also in changing over to a mass transit and an alternative mode format. So the money is going to come in in terms of highways. If you loosen up the substructure then I think you have a chance at opening the door to a broader range or broader perspective of the Department because you can possibly get the Highway people working with the mass transit people and the flow might be better. Then the key is going to be your commissioner, if he's a person who has an open mind then he'll force things to happen.

Right now, with your existing structure, I don't think the commissioner can force the change to occur because he's working with a substructure that already in place and funded.

REPRESENTATIVE SERRANI: What about the new plan.

COSGROVE: I looked it over and that is essentially what we would call for. I can't really say that, I'll say speaking for myself, I think that represents what the staff of the Filer committee has been thinking. Give the freedom to the commissioner.

REPRESENTATIVE SERRANI: But from a legislative viewpoint, we then lose a lot of power by not including the emphasis that we are trying to make or the balance that we are trying to make.

COSGROVE: Why couldn't you put it in in very general language.

SERRANI: Well the point is

COSGROVE: Give purpose to the bill.

REPRESENTATIVE MEYER: I would like to go back to the Commissioner of Education. It has always been my feeling that education is, we try to insulate from therefore, we have a State Board of Education with a term fairly long and not the same as the

so that they can look at the ongoing program and I have long felt that education is not a field that should make a decision today and have answers

Now with this kind of State Board of Education you have a commissioner appointed and responsible to someone other than that State Board and it puts the commissioner in a rather position and it is also a very difficult thing for that State Board who is in essence, responsible for the general policies to work with the Chief Executive who is not responsible to them.

COSGROVE: We don't see that as being a problem. I should comment first on acquiring a record on a leader in the field of education coming in for a 2-year term. I don't think that would be a problem and I've seen other states that have had some effective set-ups and the educators, there is no problem in getting the type of person you want. And as far as the 2-year term and the involvement of the Governor, our committee debated at length the exact points that you are making, with an additional viewpoint about elementary and secondary education as it should be protected from the political process. The committee after considerable debate, decided that questions were not that policy oriented at the State level. And I was interested to read what Mr. said in yesterday's paper in reply to the auditor's report because it essentially agreed with what our thinking was, that considerable amount of the duties of the department are half the function but there isn't that much policy that comes from the state level to the cities and towns.

The cities and towns run their own educational systems.

REPRESENTATIVE MEYER: Yes, but they overall complement the planning and ideas or suggestions. It should be suggested by the State Board and come down and have it implemented on a lower level and it is these very concepts that are not the concepts that are easy to fulfill in a very short period of time, and that is what concerns me.

COSGROVE: Belt #4 I understand what you're saying but we would basically disagree. We feel that if those policies are local level policies and that the State Board of Education has as its primary function, passing through funds, making sure that they are spent in a correct way and we see it more as an administrative department we feel since the budget is so large that the Governor should have some control. Maybe not total control but at least some say in the process which is not the case presently.

REPRESENTATIVE OSLER:

COSGROVE: Representative, aren't most of the funds federally mandated or mandated by the legislature, in which case the

REPRESENTATIVE OSLER: Well the new idea, you know the ways of appealing the problems

SENATOR BAKER: Are there any other questions. Thank you very much. The next speaker is John Driscoll followed by Robert Goldman.

JOHN DRISCOLL: My name is John Driscoll and I'm here as president of the State AFL-CIO Council. One of our functions as an organization chartered by the National AFL-CIO is to concern ourselves with education, not just political education but with education as the kind of thing in which organized labor has been interested since 1830, where if you go back to the history of Connecticut the early labor movement the New London Working Man's Association and Hartford Labor Working Man's Association and even a Women's Labor Group in Hartford we're concerned about free public education. That's been one of our concerns for many years and I think most of the history books will agree that it was the organized labor movement that was the mainspring for free public education in this country.

I am saying that because I didn't see Committee Proposed Bill 357 - AN ACT CONCERNING THE EXECUTIVE REORGANIZATION ACT OF 1977 - until today and I didn't hear these comments about the secretary of the board. I would like to start out by saying that I'm inclined to agree, although it's only a personal opinion and not backed by any part of our organization, that based on my own experience the Commissioner of Education properly ought to be named by the Governor. I knew Commissioner Saunders for many years and he was a strong minded

DRISCOLL (CONTINUED): person and I used to ask him why the State did not enforce more policies which it could by a power require local Boards of Education to follow and he was a great disciple of letting local boards of education do their thing and not using his ability to withhold funds for various policies which the State Board itself had approved. My general impression is that the Commissioner elected by the Board actually is the person who in general sets the policy of the Board since the members of the Board are volunteers and part time people and like most boards that I know of they follow the policies of the administrative staff, unless they are very strong minded people themselves or have a different ideology so in that particular point I would be inclined to go along with the Filer Commission's recommendations.

I must say though that on some of the other recommendations are made particularly with respect to the Labor Department that I think they are way off base that their recommendations would be disruptive, would be in conflict with national policy, this administrationand of any previous administration that I know of and that on the basis of our own experience, it would be a reversal to a period when we had great, great difficulty in having, for example, the Board of Education take over the rehab functions of the Worker's Compensation Commission. We, in organized labor, have struggled for many years to get the rehab functions of the Worker's Compensation Commission transferred to the Worker's Compensation Commission and not made a function of the State Board of Education and Vocational Education set up of the Federal Government. We found that they had quite a bit of staff but that they were not in contact with and didn't respond to the needs of the people who were out on disability because of job connected injuries or because of diseases contracted on the job. We believe that the present rehabilitation provision of the Worker's Compensation Department or the Worker's Compensation Commissioner is doing a good job, they don't have enough money, the Labor Department has, the Labor and Industrial Relations Committee has recommended that they be granted additional funds.

The funds, of course are all supplied by tax on the insurance companies, the carriers, or companies or cities and towns that are self insured that they pay an additional 1% premium to finance the additional work of the rehab division. The whole purpose of the rehabilitation effort is to get people back to work that they can do and even if they have to be retrained that they be encouraged to undertake that retraining or re-education and we feel that the Commissioners, the Worker's Compensation Commissioners are much more qualified to supervise that work than the education department based upon our experience with them in the past. Even more important, on the Bill that Senator Genaris has to say in a general way that the Worker's Compensation Commission, he still calls it Workmen's, it's Worker's now that we've

DRISCOLL (CONTINUED): gotten away from that chauvinistic nomenclature would be made a part of the Labor Department, I think we ought to be very careful about that. Your bill, I assume it's your bill 357 - AN ACT CONCERNING THE EXECUTIVE REORGANIZATION ACT OF 1977 - give your committee the responsibility for overseeing the organization and organization and transfer allocations and consolidation and so on. We believe that the Worker's Compensation Division ought to be for administrative purposes included in the Labor Department chiefly for the Labor Department's facilities for computerization of the records. Right now, the Worker's Compensation Division is in a understaffed and badly facilitated division in respect to records. It has no way of keeping tract of injured workers suffering from asbestosis or some other work connected disease. Once an agreement has been entered into or an award made to a worker, there is no record kept. If an insurance company stops payment to a worker the only way the commissioner would know about it is if the worker complains. We think that the commission could be integrated into the department for purposes of record keeping.

That the magnetic tape records of the department which has a big new computer but as I understand it, it won't be functioning for another 10 months, is still better than the haphazard way of keeping records that the Worker's Compensation Commissioner has now. But, the Commission has a bill in which I believe the Judiciary Committee is considering and may report out favorably, which would change the structure of the Worker's Compensation Commission and you probably ought to look into that. It would create a system of administrative law judges for those commissioners who are qualified as members of the bar and would have referees performing the function of making original investigations and helping workers to obtain either voluntary agreements or obtain awards in their claims for Worker's Compensation. But it is a very complex subject and I think you ought to go at it rather cautiously and to consult both with the Labor Commissioner and the Worker's Comp Chairman, John *Arcudi* who has the united support of his commissioners in wanting to use the facilities of the Labor Department but not to be under their control.

Belt #5

There are a lot of improvements that could be made. The Labor Department requires employers to keep a separate record for violations of the Occupational Safety and Health Act and have a separate form and there is just no reason why it couldn't be combined, if the injury were caused by a violation of the OSHA regulations, but the, probably the most objectionable of all the Filer Commission's recommendations with respect to the Labor Department is to have the manpower and job training functions transferred to the Department of Social Services. Now the reasoning that the Filer Commission uses that a great many of the workers who need training are disadvantaged people and people on Welfare. You know, it leaves out a whole broad spectrum of need for better trained workers, skilled workers that are needed to keep Connecticut industry in business really competitive.

DRISCOLL (CONTINUED): You know, we have kind of a myth that there is a large pool of skilled labor in this state. I say it's a myth because practically all employers except those like Electric Boat which have considerable federal funding have given up apprentice training programs. There are a few, Stanley Works in New Britain has an apprentice training program, but the Labor Department right now is getting more and more responsibility on the job training, comprehensive employment and training act, apprenticeship training, these are all federally funded through the State Labor Department and to transfer them to Social Services Department, it would in my view, mean that you have to engage in major negotiations with the Federal Government and I'm sure, well I hesitate to say I'm sure because I'm not that familiar with the present programs of the Carter administration but I do know that Ray Marshall, the new Secretary of Labor, is a very concerned man about job training and manpower training and apprentice training and that I would be willing to bet that he's not about to relinquish these matters on which he has been an expert for years and on which he is the best qualified person in the country. I was about to say even George Meany admits that but let's say that George Meany acknowledges that. I don't think that he would be too happy about having these employment functions which have to do with the welfare of industry and business turned over to a Social Services Department which has basically responsibility for training people on Welfare.

There is a coordinator program now, the Work Incentive Program with the Labor Department and the Social Services Department working together with the Department of Education. And we have a law on the books which as far as training young people is concerned in school training, the Labor Commissioner and the Education Commissioner have the authority and they must agree on any on-the-job in-school, rather off-school premises on-the-job training programs that the state wants to engage in. So I hope you will disregard that suggestion completely and under the Filer committee's recommendation and possibly not disregard but reject it on the basis both of practicability and its possibility of integrating it with the Federal Government's programs.

I have only one other comment about the, about 357 - AN ACT CONCERNING THE EXECUTIVE REORGANIZATION ACT OF 1977 - I'm inclined to favor the Sunset Law idea and zero based budgeting but I always have to remember that even now the Federal Department of the Combined Education and HUD, that there you have a sort of a bureaucratic monstrosity which Congress itself is now considering dismembering and separating out the Education Department from the Human Sources responsibilities and of course I think the most horrid example of over organization and creation of super agencies as the City of New York and I am sure that your committee if given this responsibility will proceed with caution in developing any kinds of super agencies of that kind. I do think, however, that too much power to give the governor to organize or reorganize the executive branch from time to time provided that the General Assembly shall have 60 days within which to reject any such organization or re-

DRISCOLL (CONTINUED): organization. I think that it ought to be the other way around, that the General Assembly should be consulted before any such organization or reorganization is put into effect and that the Governor should submit to the General Assembly such proposals subject to your examination as a committee and to approval of the General Assembly. I'm sorry I've taken so long and so much of your time but this is a big subject and I must admit that I was not too familiar with 357 until I read it today.

SENATOR BAKER: Any questions? Thank you very much.

ROBERT GOLDMAN: Good afternoon, I'm Robert Goldman, Superintendent of School in South Windsor. I'm here representing the Connecticut Association for the Advancement of School Administration, CASA, which is essentially a Superintendent's Organization in the State of Connecticut. I am here to speak in response to the Filer Report and Bill 357 - AN ACT CONCERNING THE EXECUTIVE REORGANIZATION ACT OF 1977 - The first point I would like to address is the appointment of the Commissioner of Education by the Governor and CASA does wish to go on the record as opposed to this aspect of the Filer Report. I would like to just walk through about 3 or 4 things if I could, with you, why we are opposed to it. First I think that the State Board is responsible for implementing the state laws passed by the Legislature issuing guidelines, regulations and all the functions that they normally would do. And I do believe that the State Board needs its own executive officer to carry out this important function.

And I think that the appointment of that state executive officer by the Board also implies with it the fact that they can replace the executive officer when they see fit. I think it's a good part of the administration that the responsible body that sets the policy which is the State Board, should be responsible for seeing that its executive officer performs his job.

The second point is the continuation of office. I think that we have some problems here with 2-year terms, 4-year terms and 6-year terms as this particular aspect is broken down. The 2-year term for the Commissioner of Education for example, I think that is particularly bothersome to me in a sense that I think education and planning today requires longer periods of time than 2 years. The biggest change right now for example that I had in going from a line officers and principal of a school to superintendent was to think future and not think today. I think that the issue confronting education requires someone who can think and be responsible for those plans in 1978, '79 & '80, '81, '82. We have a declining school population, we have all kinds of problems whose impact would be felt in the State in years to come so the decision is being made now and should not be short-ranged. Political decisions are rather long decisions so I think it is very important that you have someone who

ROBERT GOLDMAN (CONTINUED): has the opportunity to serve a longer period of time. I did serve in public education in Massachusetts where they had a similar kind of situation as suggested here and they did go through Commissioners rather quickly there and I agree that they did have some pretty good names but their names in and out on a rather short basis. I got their autographs as I moved anything on the books but that was about all. I think that one of the problems that we are confronted with in education today is that we are in a transition period and I think that one of the things that the auditors mentioned the other day, yesterday it was mentioned, I think some patience is required. Education has gone through boom years and I think we are in a downswing in terms of what is the roll of education, whatever the expectations of education, who are the consumers, what should be happening in education and I think to take this period of trying to readjust our goals and to change without looking at what that change has implied for might not be to our advantage.

So, I just say, hold tight if you possibly can. The second aspect of the Filer Commission I think that I would like to comment on is that we do support the section that would make the state agencies responsible for carrying the administrative functions out and that for example, I would like to relate to you vacancies on, that are occurring in the departments and the inability to fill those without going through another department. In the Department of Education for example, when a vacancy occurs in a budgeted position at the vocational-technical schools, the State Board of Education has been unable to fill those positions automatically, they had to go to finance in the executive branch in order to fill those.

In my own community there are students that we would like to put into those schools mid-year when someone goes out or there is some kind of movement and once the year starts we are told many times that we cannot put any students in because we cannot fill the teaching vacancies. These are already budgeted positions, these are not new positions, this is just where someone may have an accident, someone may become pregnant which still does happen even in vocational schools, where someone has to leave or someone is fired. The ability to fill that position by the State Board has been severely limited. I would like to make one comment which I don't feel as comfortable making but I will make it anyhow, this is in terms of the vocational-rehabilitation. In terms of those responsibilities which involve the elementary and secondary schools, I do feel that placing this reponsibility outside of the Department of Education may cause some problems, in the sense that there is Federal legislation requiring that all children be educated and always considered a small part of the vocational-
Belt#6 rehabilitation, not the part dealing with the man who has been injured on the job.

GOLDMAN (CONTINUED): In those areas where we have had to deal outside of the Commissioner of Education, for example, the Commissioner of Mental Retardation, there have been problems because of the differences of interpretation of the law and differences of interpretation of responsibility. And sometimes you get into a paper argument back and forth where by and large we have not had this particular problem with the State Board of Education in terms of placement of youngsters. As I said, I am not as familiar with that sector of the Filer Report and I don't want to get deeply into it and put my mouth in it. But we are very much concerned about the Commissioner of Education and we are concerned that the State Board be given those functions for which it should be held responsible. Thank you.

SENATOR BAKER: Thank you. Are there any questions? Is there anyone else who wishes to speak? If not, I will declare the public hearing adjourned and our next hearing is tomorrow afternoon at 1:00 o'clock dealing with public safety and correction.

Please include in Transcripts. 813

cabe
concerned about better education

March 28, 1977

To: Members of the Joint Government Administration and Policy

From: Connecticut Association of Boards of Education, Inc.

CABE would like to take this opportunity to state our views on the Filer Commission's Report as it affects education.

We are opposed to the recommendation of the Filer Commission that would make the Commissioner of Education an appointee of the Governor. Education in this state has traditionally been one step removed from the mainstream of partisan politics. To allow the Governor to appoint both the Commissioner of Education and the State Board of Education would unduly politicize education in this state.

The gubernatorial appointment of the Commissioner would create a situation where the Commissioner would be legally responsible to the State Board of Education, but would in fact be also responsible to the Governor who appointed him or her. We fear that the net result of this dual responsibility would be the undermining of the State Board of Education.

If the legislature adopts this recommendation of the Filer Commission, we would hope that you would lengthen the term of the Commissioner. A two-year appointment would not allow continuity and would not give the appointee a reasonable time in which to prove him or herself. We feel a longer term would be better.

JCP/gc

connecticut association of boards of education, inc.
410 asylum street hartford conn. 6103/203-522-8201

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MR. HILLIARD (Continued): form is the right way to list this as volunteer participation, sometimes the State Government can work better without spending more money. Thank you.

REPRESENTATIVE HENDEL: Are there any questions? Thank you very much, Mr. Hilliard.

MR. HILLIARD: I'll prepare this.

REPRESENTATIVE HENDEL: Fine. Mr. James Wade.

MR. WADE: Mr. Chairman - Madam Chairman - I am Attorney James Wade, I am a member of the Filer Committee, and sat with the Committee for a year putting together the document over which you have been pouring the last three or four months. In dealing with the Department of Public Safety, we recognized at the outset that perhaps the most controversial aspect of this - of our recommendation would be the merger of the Connecticut State Police Department into an overall Department of Public Safety. The State Police in this state have a long and proud history as an independent body, and it is not our intention to underline that history and the autonomy with which they have been able to function in the past. However, it was felt that if the concept was to create a single agency, wherein all branches of possible emergency service to the public might be merged, so that you would have, in the event of emergency situations of one sort or another, the various agencies that are called upon to provide service both in law enforcement sense and the sense of fighting any disasters that might have occurred and in protecting life and property from - might result from that type of disaster that to have everything coordinated within a single Department made a substantial amount of sense. We believe that as things stand now, the Chief Executive Officer of the Connecticut State Police Department Commissioner is a civilian in the true sense of the word, and that the continuation of a civilian head of the Department of Police is in keeping with the law enforcement principles that govern many states and the Federal Agencies as well, where law enforcement is a civilian branch of protection for the people. Other than that, the Department of Public Safety's concept is to lump together all those agencies that deal with parts of governmental services that effect the safety of the people out there in the, in the State of Connecticut. Corrections is an area where there was some division within our ranks and the recommendation that we have come up with is a amalgamation of that position. Perhaps because of the nature of my law practice, maybe I was a little too close to the situation to be totally objective, and I say that with all candor, because I think it's only fair to give a disclaimer as to where my bias is coming from. The Committee, as a whole came up with the recommendation that Departments of Parole, Pardons, and Adult Probation all be merged within the Department of Corrections under the jurisdiction of the Commissioner of Corrections. My personal feeling was that the Department of Adult Probation should remain either autonomous or its linkage, if at all, should be with the judicial branch of government. It is a sensitive area because the

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MR. WADE (Cont.): Department of Adult Probation, I should say the vast majority of the work done by the Department of Adult Probation, is done for the judicial branch of government in dealing with presentence investigations ordered by Judges in dealing with probationers who are still under the jurisdiction of the Court, and have not yet fallen under the jurisdiction of the Department of Probation, and so Probation Officers, by the nature of their work, tend to me answerable to the judicial branch of government more so than to the Executive Branch of government; and yet, because of the separation of powers contained within our State Constitution and the fact that there are only three branches of government, you've got to find someplace to put them. Because of our charge as a committee, we were not charged with doing anything that would deal with either the judicial or legislative branches of government and so the lots of the compromise that you find in our recommendation here is that the Department of Adult Probation be brought within the jurisdiction of the Department of Corrections, but that it has - it be dealt with as a separate division with its own personnel and that its chief officer, whoever that might be, would have a substantial amount of autonomy. It is my belief that Probation Officers view their roles and their function differently than parole officers. Probation officers fundamentally are dealing with pre-incarceration of persons who have not served sentences within a correctional system, the vast majority of all cases that enter the criminal justice system wind up with the Department of Probation, rather than the Department of Corrections because most people don't go to jail, after they have received some sort of sentence from the Court. When you recognize how many cases are disposed of by way of a suspended sentence, most of those people are winding up within the Department of Probation for their jurisdiction. Another factor is the whole concept of the termination of probation versus the termination of parole in order to terminate probation, there must be a judicial hearing before an impartial magistrate, who makes determination as to whether or not the probationer has violated the conditions of his probation, which conditions have been settled and fixed by the Court. On the other hand, in the case of a parolee, the terms of parole are fixed by the Parole Department, and the conditions attached to the parolee are derived from the Executive Branch of the Government. There has been a spate of lawsuits over whether or not a parolee can be his parole can be terminated prior to a judicial hearing to determine whether or not he has violated the conditions of parole, it is an area of the law which I judge to be unsettled. But nonetheless, with all that preface, I support the position of the Committee, we spent a lot of time in this area, we did a lot of talking about it, and had to reach some accommodation in order to present something to this Body, and therefore, in view of the fact that the Committee, as a whole, deems that this type of coalition of agencies probably will achieve the best result from a governmental point of view, and at the same time preserve some of the problems, or eliminate some of the problems, that I had concern over. We've come up with this recommendation. I'm not sure I agree fully with the proposed bill as submitted here, in which there simply is a merger of the Boards of Parole, Pardons and Adult Probation. The language of the bill does say that the Department of Adult Probation will remain a separate division

WADE (Cont.): within the confederation, staffed by its own personnel. If you're going to go that route, I don't know whether or not it would be wise to make some provision for autonomous budgeting and leaving some autonomous control within the head of that department to oversee the probation that's under his staff. I think this is one area where you're going to have to perhaps at least have some consultation with the Judges of the Superior Court, to make sure that there is some sort of coordinated linkage between the new Department, whatever it is, and the Court system, since most of those probation officers would be answerable directly to the Judges of the Superior Court. Any questions of the Committee?

SENATOR JOHNSON: What lines (INAUDIBLE)

MR. WADE: Yes. In 935, lines 22 through 24, you provide that there is a merger with the provision that the Department of Adult Probation will remain as a separate division within the confederation staffed by its own personnel. I'm not sure what that means. You say it, where are they going to come from? Does that mean you just take the people who presently exist and you keep calling them the Department of Probation personnel, or you make some elusive identity to become the Department of Correction personnel once the new department is created.

REPRESENTATIVE HENDEL: Are there any other questions? Thank you very much, Mr. Wade.

MR. WADE: O.k. Thank you.

REPRESENTATIVE HENDELL: Terry Capshaw.

MR. CAPSHAW: Madam Chairman, members of the Committee, I'm Terry Capshaw the Director of Adult Probation, and I'd like to speak in opposition to Senate Bill Number 935. I have forwarded to the members of the Committee some written remarks, I don't know if they've arrived yet, but they were mailed Friday, I believe, from my office, those remarks were similar to what the previous individual testified to that if any merger were to be recommended, it would certainly seem to me to make more logic to connect the Agency with the Judicial Department officially. Most people in the State of Connecticut assume that we are in the Judicial Department, and our mail comes that way, nine-tenths of the time, and I think because historically in many other states Probation is under the control of the Judiciary, many people believe it is in Connecticut, even though that is a question of the Commission on Adult Probation has been in effect for almost 21 years, I believe that the present system of probation in Connecticut, which in the last seven years, I might add, has grown to be recognized as one of the best Departments in the Country, has proven itself. We have a budget of less than $3,000,000 at the present time, we supervise 17,500 people under probation supervision, we conduct 12,000 investigations a year for the Courts of the State, and that means that it costs, excuse me.
Belt #2 . We never got additional personnel, we drove the oldest cars, we got the lowest pay, and we never made any progress. And I believe that would be the situation if the present Department of Adult Probation were merged into the Department of Corrections. There are 17 states in the country that have local or county probation and that is the most popular

MR. MORIARTY (Continued): over the past few years developed - has developed a curriculum of counselling and management courses that consistently receive the highest of praise from the Department of Children & Youth Services staff for the appropriatness of content and the excellence of training techniques. It would be difficult, if not impossible, for a single agency to duplicate the Academy's diverse and highly technical curriculum. Additionally, the Department of Children & Youth Services uses the Academy for films, books, printing and training hardware on the one hand, and as a consulting resource for training technology on the other. Without the existence of the Connecticut Justice Academy, the training effort of the Department of Children & Youth Services would most certainly be weakened. Given the critical nature of the Department's mission, we believe that it is important to retain the quality training resources that are now available to us.

REPRESENTATIVE HENDEL: Thank you. Are there any questions? Thank you, Mr. Moriarty. We'd like to hear from Norman Rudderman.

MR. RUDDERMAN: Madam Chairman, my name is Norman Rudderman, I'm an architect and a code consultant and I'd like to speak in favor of the Public Safety Departmental provisions or proposals of Bill 357. I am particularly interested in the reorganization as it effects building and fire safety. At the present time, many state codes and regulations for construction and fire safety are obsolete and administration is fragmented. The need for reorganization to provide proper administration and enforcement is very evident. We have fire safety regulated by both the State Fire Marshall and by the Labor Department. Neither Department has a fire protection engineer on its staff, and neither department has a adopted a fire prevention code, and these are recognized branches of the Life Safety profession, if you will. There are jurisdiction problems which are generally solved by ignoring them. We have, for example, the State Labor Department responsible for fire hazards in factories, by Statute, a Fire Marshall, local Fire Marshall is also told that if he sees a fire hazard in a factory, he is to bring it to the attention of the Labor Commissioner. I assure you that in rare cases will that local Fire Marshall go out of his way to do anything to help the Labor Department in fire prevention. They have these jurisdiction problems, and until as the report recommends, the, all of the codes, Fire, Safety and Building are coordinated, we will continue to have them. There are further conflicts between the Fire Safety Code, the Building Code, the Public Health Code and the regulations of the Department of Environmental Protection. Owners and builders are seriously inhibited by this confusion, by an inability to find out what permits are necessary and where to apply. All of this contributes to the cost of building, handicaps economy in general, and precludes adequate protection for safety to life and property. I would like to bring to your attention too, and I think the draft does, slight the need for technicals appeals boards. I realize that they were talking about principles rather than details, however, one of the major problems that construction industry has with the code enforcement, the regulatory enforcement areas of the State is effective and speedy appeals. Under the present Fire Safety Code, there is no appeals mechanism outside of the Courts, there is no administrative appeals procedure. Under the

MR. RUDDERMAN (Continued): Labor Department, there is a quasi judicial appeal but it is remarkably ineffective. Under the Building Codes setup, there is a local within each jurisdiction, each municipality, there is a local Building Code Board of Appeals. From there, the next stage of appeal is to the State Building Code Standards Committee, which also is responsible for writing the Code, so they appear, they have three heads then, they are judicial, they are quasi legislative and they also have an enforcement. So, in other words, it is a - I don't know - a three part dichotomy would be, but it doesn't work. I feel that it is extremely important for public safety, in general, we have been spared in this state a conflagration such as the Chelsea Affair last year, and some of the other things, but until we have under a strong leadership the unified fire prevention and fire service organization, coupled with a proper code enforcement to eliminate the conflicts which presently exist that not only is the construction industry, which is a sickle of man right now, very badly hampered economically, but we are taking great chances with the safety of the people of the State. Now, the page of recommendations, under Committee Reports, on Page 44, I feel substantially do cover the needs of maintaining this kind of protection for the people of the State, and I would oppose Chief Nagler's suggestion that the Fire Services remain separate from Fire Prevention. This is to me an example of a fragmentation of a continued jealousy of who does what and to whom, because in each and every fire service there has got to be a Fire Prevention Department, and until Fire Prevention and Fire Services are seen as part and parcel of the whole Safety proposition, we are going to be hampered by the same jealousies, by the same lack of coordination without a strong direction from the top. I think to make the recommendations work, the Committee recommendations work, I would like to suggest that ostensively the Department of Public - - Department of State Police be the major part, as it says, of the Department of Public Safety. It seems to me from many years of experience, with the Executive Branch of State government, that only the State Police Department as a quasi military organization, has the organization and structure which lends itself to the function of adopting, promulgating and enforcing regulations. We have a situation, for example, with the Building Code where the state has mandated a uniform building code throughout the State of Connecticut, to be enforced purely on a local basis. No funds have ever been made available by the State to the municipalities for technical assistance, and it is only through a strong central organization that we will have the effective kind of organization we need. I would also like to mention, I don't know that it is picked up in here, yes, but it does not pick up the fact that we also need to clarify such things as the Board of Education, which has independent review powers to check all state funded or state supported educational establishments. They are taking on themselves to review the State Fire Safety Code and the State Building Code independently of the other organizations, and are enforcing it in accordance with different standards. We also have the Health Department, which is now finally cooperating with the State Fire Marshall for review of health care facilities. Up until, I think just a year or so ago, they too were in complete opposition. So we have education, we have the Department of Environmental Protection,

MR. RUDDERMAN (Continued): and we have labor, all of whom are working theoretically to the same end, but at cross purposes.

REPRESENTATIVE HENDEL: Thank you for your remarks. Did you give your address to the Secretary?

MR. RUDDERMAN: I will. Oh, one thing I would like to mention, I recently as an unpublished author, I recently compiled the Guide To Building Design & Construction Regulations in Connecticut, complete with disclaimer and so on, I wish I had a copy to leave. This talks about Public Works, talks about Fire, it talks about Labor, it talks about Health, DEP, Department, the Liquor Control Commission, too, controls buildings, what else do we have in here. Each page covers another organization or another law or regulation which directly effects design and construction in this state, and until, with all the talk of saving money for the - in the construction of State buildings and Public buildings, and helping the construction industry, until some order is made out of this chaos, I'm afraid that the efforts are pretty meaningless.

REPRESENTATIVE HENDEL: Would it be possible for you to Xerox that for us?

MR. RUDDERMAN: I'll be, well, I can get you another copy, yes.

REPRESENTATIVE HENDEL: Um-hm. Oh, there is a question here.

MR. RUDDERMAN: Yes, sure.

REPRESENTATIVE BARNES: (INAUDIBLE)

MR. RUDDERMAN: Well, under the Department of Public Safety I could see let's say a three-headed organization, a three division, which would come under say an Assistant Commissioner or Deputy Commissioner, much as the State Fire Marshall's is operated now. There would be a central technical division, which would be the code writing and code advisory section, to advise, let's say the public builders, owners, then there would be two administrative divisions, one would be the Fire Safety and Fire Services side, and the other side would be the Building Construction.

(INAUDIBLE)

MR. RUDDERMAN: Well, the permits now issued locally, all building, I would not
Belt #4 change that. I would not change the present situation where you have a local fire marshall, and a local building official. That should continue, because to attempt to do that from Hartford, even in a state this small, doesn't work, what they need, they badly need technical assistance. Many of the towns do not support their Building Departments properly.

REPRESENTATIVE BARNES: (INAUDIBLE)

MR. RUDDERMAN: I don't think they are in opposition. Let me give you an example. Right now, the Department of Health controls swimming pools. The Department of Health should not control anything having to do with swimming pools except

MR. RUDDERMAN (Continued): Public Health, but they are controlling the construction of swimming pools, so that is the kind of controversy that we have that should be eliminated. Yes, they definitely should have to go to Health for a permit on the filter backwash and on the rest of these things, but there is one central point which would be in each town where the permits would be issued, and the only way this can be funneled through, as I see it, is if it is basically controlled under one Department, to act as a traffic cop.

REPRESENTATIVE BARNES: Then you (INAUDIBLE).

MR. RUDDERMAN: Oh, yes, there is no way to, I would never allow them to take the Public Health function away from the Health Department, or whatever it would end up being, because there we are dealing again with professionals. My feeling is that we need to use professionals and use them properly.

REPRESENTATIVE VANCE: Representative Vance, 123rd, you mentioned (INAUDIBLE)

MR. RUDDERMAN: That is the intent of one proposal that I don't entire agree with is the so-called Fire Safety Code should be eliminated completely, that we have a Buildings Code and a Fire Prevention Code.

REPRESENTATIVE VANCE: (INAUDIBLE).

MR. RUDDERMAN: Right. This is the important thing.

REPRESENTATIVE VANCE: (INAUDIBLE).

MR. RUDDERMAN: What we have had to learn to do, those of us, the professional designers have learned to call and make sure we've touched base with both parties in all cases.

REPRESENTATIVE VANCE: (INAUDIBLE).

MR. RUDDERMAN: Right, and

REPRESENTATIVE VANCE: (INAUDIBLE).

MR. RUDDERMAN: And, unfortunately, too, in some municipalities the building official and the Fire Marshall don't speak. Or, if they do, they're at war.

REPRESENTATIVE HENDEL: Thank you for your comments.

MR. RUDDERMAN: All right.

REPRESENTATIVE HENDEL: Toni Gold.

MS. GOLD: My name is Toni Gold and I'm the Assistant Director of The Hartford Architecture Conservatory. I would like to speak in regard to SB 357 and that concerning the Executive Reorganization Act in 1977, and

MS. GOLD (Continued): particularly in regards to public safety and building codes which Mr. Rudderman has just commented about. While I am not an architect, or a Code Specialist, as an historic preservationist, I have run into many of the same problems that he understands in much more detail. The Hartford Architecture Conservatory is a nonprofit historic preservation organization, with over 1000 members. Our principal purpose is to promote and facilitate the restoration and reuse of Hartford's fine older buildings and urban neighborhoods, thereby to preserve both the architectural heritage of Connecticut's Capital, and to revitalize urban life. The Conservatory is not interested in house museums, or an essential antiquarian concern, but in large scale neighborhood conservation and in good urban design. It is these concerns which have brought us face to face with building and fire codes. One of the principal problems that confronts builders of new structures and particularly the rehabilitators of older buildings is the overlapping and often conflicting jurisdictions of the Connecticut basic Building Code and the Connecticut Fire Safety Code. At the local level, it is possible, and not uncommon, for Fire Marshall to require extensive changes in construction which has already been approved with the Building Officials, and which is underway. In fact, the delivery of Fire Code Services is so unpredictable and uneven across the State as to verge on denial of due process. Therefore, we welcome a reorganization which places the administration of both codes under one Department. However, this proposed reorganization assumes that the sole purpose and the sole impact of the codes is public safety. Such is decidedly not the case. Codes, although highly technical, are potent instruments of public policy. For example, Commissioner Weinerman has submitted a Bill this Session to provide for revision of the Connecticut Safety Building Code, to achieve the following purpose: 1) To make the Code more responsive to present economic conditions. 2) To promote reduction of the cost of construction of homes and other buildings. 3) To create more jobs in the construction industry. 4) To promote home ownership. 5) To implement the latest energy conservation technology and to provide the preservation and restoration of historic structure. He further proposes to achieve these ends by conducting a study of the various costs and benefits of the Code. Similarly, a National Bureau of Standards paper, proposing a new kind of code for existing buildings, which have particular difficulty meeting present codes, defines the performance attributes of this code very broadly. In addition to fire safety, structural safety and accident safety, which we would expect to find, the paper also names comfort convenient social welfare, economic welfare and historic preservation, as performance attributes to be met by the rehabilitated building. Now, these are not goals which people are proposing to put into codes, they are in passage codes already passed and so we need to be aware of the impact they have and try to direct them and control them so that they meet our own goals of the public policy. The proposed reorganization however, suggests that the Fire and Building Codes might both be administered by firemen or by State Policemen; while firemen are generally impassioned advocates of fire safety, for understandable reasons, they are not particularly well equipped, especially at the local level, to make judgments about the other objectives of codes which I have mentioned, nor are they

MS. GOLD (Continued): generally knowledgeable about construction, yet the Connecticut Fire Safety Code is a construction code, therefore, I make these recommendations. Codes regulating construction i.e., the Basic Building Code and the Fire Safety Code, should be combined. A Fire Prevention Code, which is an entirely different animal, which essentially licenses of uses, is an appropriate code for Fire Marshall's office to administer. Number 2, these codes should be administered from top to bottom by one - one line of official, who are construction experts, who are in the main stream of the broad policy thinking and engineering research of the highly professional National Code Organization, and in the National Bureau of Standards. 3, the administration of codes, which regulate construction should not be separated from the construction expertise now found in the Department of Public Works. In closing, let me say that we welcome an attempt to rationalize the present tangled Code system, but in the process, let us not aggravate the present problem which is public policy by inadvertence.

REPRESENTATIVE HENDEL: Thank you, is there any question?

MS. GOLD: Maybe you'd like a copy of this?

REPRESENTATIVE HENDEL: Yes.

MS. GOLD: More than one?

REPRESENTATIVE HENDEL: Yes, fine, that would be very helpful. Give me a bunch. Sherry Haller.

MS. HALLER: My name is Sherry Haller and I'm Executive Director of the Connecticut Jaycees, Institutional Assistance Program. I am speaking on behalf of the program this afternoon, to ask your consideration and lend your support to Senate Bill 1036, AN ACT concerning the creation of a Connecticut Justice Academy. The Academy is a joint training facility, providing educational resources and programs to the State Departments of Correction, Children Youth Services, Adult Probation, and Juvenile Court. Since its inception in 1972, the training facility has coupled the expertise and experience of its member agencies with Academy staffed coordinate and maximize existing resources. As an Undergraduate student four years ago, I had the opportunity to participate in the Academy's programs. My choice of a career in criminal justice can, in a large part, be attributed to the exposure and the knowledge gained through that experience. The concept of providing an ongoing training facility which emphasizes a viable communication network for Connecticut's Criminal Justice Agencies is unique. And, given the constraints of Connecticut's budget, the sharing and coordination of existing resources is a necessary productable approach to State Agency training. I just want to say that four years ago, when I did have an opportunity to participate in the Connecticut Justice Academy, I was an intern at New Haven Correctional Center, and I volunteered to take part in a 3 week training program for correctional officers. I had three - I participated in a three-day incarceration simulation experience, which all correctional officers - my understanding is now have to

MS. HALLER (Continued): go through. It is an incredible experience, I have never seen and have never heard of any other state agency providing that kind of training to people who will be spending 10 and 12 hours a day in correctional facilities. It was a unique experience that gave people the opportunity to see exactly what the stresses and the strains of incarceration are on offenders and I think really sensitized those correctional officers who did participate in the program a great deal. So, given that experience, and the other kinds of programs that I have been involved with with the Academy over the years, I would highly consider you to support 1036. Thank you.

REPRESENTATIVE HENDEL: Thank you very much.

MS. HALLER: I have already sent some copies (INAUDIBLE).

REPRESENTATIVE HENDEL: That concludes the list of speakers, so I declare this Public Hearing closed.

MR. McNULTY (continued): not represent the interests, concerns or relationships existing between local and state government.

More important than room size is the quality and quantity and access of state services, assistance and expertise to the local governments and their line agencies. We do not belong in the Department of Economic Development and Agriculture, and I am certain the agricultural interests of the state will heartily agree.

A responsive, accountable, functioning, effective, manageable, supportive Department of Community Affairs is critical to the well-being and future of all of Connecticut. You can reshape it, remold it, refashion it, but please retain it.

I would ask that you carefully re-read the Filer Report and satisfy yourself as I have, that it is not responsive to the needs of Connecticut nor to the 169 towns which are Connecticut. It fails grossly in recognizing the emerging partership with the federal government. It could cripple that relationship if implementation of the recommendation as to DCA is made operative.

All of us need better than we are receiving. In fact, all of us deserve better than we are being given. But the future of our towns and the future of our state cannot be served with these recommendations, minimally defended and insufficiently supported, with regard to community affairs development are given your endorsement. More than any other aspect of government the relationships between and among all levels of government must serve all the people. They must function in a clearly defined and structurally dedicated agency. To do otherwise is to undermine the effective delivery of services to the people of Connecticut - a position which the Filer Committee has dedicated themselves to improve.

REPRESENTATIVE WALKOVICH: Thank you very much. Any questions for the speaker? Leslie Secora.

LESLIE SECORA: I'm Leslie Secora of Waterford and I'm chairperson of the Southeastern Regional Housing Council it does coincide with the Southeastern Regional Planning Agency that is in southeastern region which covers 18 communities.

Speaking to this proposed Bill 357 is rather difficult I find because it is so generalized and I'm not sure it will become more specific as you proceed but I am concerned because it doesn't even mention the word housing but it does mention business and economic development. As for proposed Bill 939, which is in essence the Filer Committee, so called recommendations to put the present Bureau of Housing under the Department of Economic Development and Agriculture I am in strong disagreement with this. As I understand the role of

LESLIE SECORA (continued): the state government or any level of government, is to help people do those things that they aren't able to do by themselves and I think in my experience that the Housing Bureau and DCA you would look at all the things that they are involved in doing is trying to react to this very need. I refer you to this summary of DCA's activities and if you haven't seen it I recommend it to you. It gives an excellent summary of all the affairs and of particular interest to me the Housing Bureau and there are certainly many more things in here than just building houses. The Filer recommendations regarding housing are surely very industry oriented and it seems to focus on stimulating and helping the housing industry while this is fine because of course a healthy housing industry is a benefit economically to everyone in the state but of course this isn't the only thing, the most important thing for government to be involved in as I see it. It doesn't serve the people and the need that the DCA Housing Bureau does. These kinds of needs are the elderly the young and poor in the cities and other non-profit groups that can't compete in the scarce market economy for decent affordable housing. State housing efforts are very people-oriented and should be and they by function belong with other such state efforts. A department of community affairs, or call it a department of community development or other such similar grouping is needed to coordinate such efforts and thus be able to provide a more comprehensive approach. I've worked with DCA since it was founded as a volunteer with community action agencies and housing committees and I think DCA has developed considerable expertise in this area - it needs expanding and strengthening - certainly not diminishing. Decent housing is one of the basic necessities of life and one that will be needed to improve communities Its one of the basic ... to help communities turn themselves around. So please as a committee when you draft this legislation in its final form don't weaken efforts that have already been begun by approaching housing and any kind of narrow economic industry related concern only. It should be a need fulfilled by the government for people, as I say that can only look to their government for help. A government that is providing these compassionate services, before you decide I would urge you to read or reread this declaration of policy that established the Department of Community Affairs and then make up your mind and I would hope that you would need the Bureau of Housing in such a department of Community Affairs. Thank you.

REPRESENTATIVE WALKOVICH: Thank you. Any questions? The next speaker will be Willis Sanford.

Please Withdraw Testimony

879

March 30, 1977

Senator Wayne Baker
CHAIRMAN GOVERNMENT ADMINISTRATION AND POLICY COMMITTEE
State Capitol Building
Hartford, Connecticut 06103

Dear Senator Baker and Committee Members

I am writing this letter as a representative of the Legislative Coalition on Aging's Subcommittee on Housing. At this time we would like to state our opposition to Senate Bills 357 & 939 which would abolish the Department of Community Affairs and place the Housing Bureau in the Economic Development and Agriculture Department.

In planning our priorities this year on housing for the elderly, we have worked closely with the Department of Community Affairs. They have been most cooperative in providing us with the technical assistance that is necessary for formulating alternate congregate housing facilities for older people. The Housing Bureau has assisted in building over 4,000 units of elderly housing in this state which are geared to low and moderate income people. If this legislation is enacted it would seriously hurt the delivery of housing services to our older population.

Sincerely yours,

Karen Libertoff Harrington

Karen Libertoff Harrington
for
Housing Committee
Legislation Coalition on Aging

Please include as transcribed 880

CONNECTICUT RESOURCES RECOVERY AUTHORITY

60 WASHINGTON STREET · HARTFORD · CONNECTICUT · 06106 · TELEPHONE (203) 549-6390

To: The Honorable Wayne A. Baker
Senate Chairman
Joint Standing Committee on
Government Administration and Policy
Connecticut General Assembly

and

The Honorable Patricia A. Hendel
House Chairperson
Joint Standing Committee on
Government Administration and Policy
Connecticut General Assembly

By: Russell L. Brenneman, President, Connecticut Resources Recovery Authority

A Statement Concerning

Report of the Committee on the Structure of State Government

("Filer Report")

- March 31, 1977 -

The Connecticut Resources Recovery Authority wishes to make the following statement in regard to legislation which has been introduced, or which may be introduced, as a result of recommendations set forth in the Report of the "Committee on the Structure of State Government" (the "Filer Report"). There are two recommendations which affect the Authority, which will be commented upon in turn:

(1) The Report recommends that the Authority and the Solid Waste Management Advisory Council be administratively transferred to the Department of Environmental Protection. The basis of this recommendation is that DEP engages in regulatory activities connected with the management of solid waste and deals with issues closely associated with those entrusted to CRRA under the Solid Waste Management Services Act. The reasoning behind this recommendation is superficial and ignores the distinction between the functional roles assigned to DEP and those assigned to CRRA.

Because the Connecticut Resources Recovery Authority is not a well-understood organization, some basic information is needed for legislators fully to understand the inappropriateness of including the organization within the

administrative structure of the Department of Environmental Protection.

The Authority was created by the Solid Waste Management Services Act of 1973. This is very comprehensive legislation which was the result of the focus on total statewide solid waste menagement, emphasized by the newly created Department of Environmental Protection beginning in 1971. The Solid Waste Management Services Act recognizes the need for statewide, regional and municipal planning for solid waste management over a long period of time. (It will be interesting to some of you to know that in this regard the Connecticut statute is very much the precursor of the new and significant federal legislation known as the Resource Conservation and Recovery Act of 1976; indeed, the Congressional draftsmen seemed to have turned to the Connecticut statute as a model.)

Among the policy emphases of the 1973 Connecticut law are the reduction of the total volume of the waste stream, the presegregation of materials which can be withdrawn from the waste stream prior to becoming mixed with it (through source separation or some other approach), and, finally, recovering value from the remaining undifferentiated waste stream through resource recovery facilities. While the Department of Environmental Protection is seen as the primary planning arm in this process, the Authority was created to enable <u>implementation</u> of the statewide plan through a statewide management system. The legislature in 1973 could have selected a state administrative agency to perform the implementing function. It could have authorized the issuance of general obligation bonds by the new state agency. It could have provided appropriated monies from the general fund to build and operate the facilities of the system. After careful consideration, it did not make this choice. Instead it chose to create the CRRA.

Let us examine why. The legislature felt that the state would be best served by a quasi-public agency authorized to develop waste management projects on a <u>self-sustaining</u> basis, the projects to be supported by tipping fees

and the revenues from recovered products. The legislature concluded that the state would be best served not by the issuance of general obligation bonds to fund a massive public works project but rather by using system revenues to support revenue bonds. Further, the legislature concluded that Connecticut would be best served not by direct participation by a state agency in the construction and operation of facilities but rather through a mechanism enabling the state to contract out with the private sector for construction and long-term operational contracts.

The Authority was empowered to do all these things. It is important for you to realize that we are not an appropriated public agency and that we have not used a single penny of the state taxpayer's dollar or the federal taxpayer's dollar. Our operations are supported by short-term borrowings which are recovered out of the revenue bond issue as a project is developed.

Our board of directors presently consists of nine voting directors and one non-voting director (the non-voting director being the Chairman of our State Solid Waste Management Advisory Council, whom we hope to make a voting member through legislation that has been introduced at this session of the General Assembly). The other members include the Commissioners of Environmental Protection, Finance and Control, and Transportation; Senator Cutillo, who is the designee of the Senate President Pro Tem; and Representative Gilligan, who is the designee of the Speaker of the House. Other members are appointed by the Governor. The Chairman of the Board is Charles Stroh, whom many of you know. I serve as President through the appointment of the Chairman with the concurrence of the board.

We are presently in the construction phase of a major resource recovery project known as the Greater Bridgeport System. Nine towns have entered into a contract with the Authority to provide for the disposition of their munici-

pal solid wastes through this system. The Authority has agreed to provide service for a stipulated price over the term of the project, which is twenty-five years, with the tipping fee to be fixed and escalated only by reference to specified objective indices, one of which is the Consumer Price Index. Under a rather complex formula, the tipping fee will be reduced in accordance with the volume of waste received by the system and the value of the materials recovered from it.

The Authority has entered into contracts for the construction and operation of the system. Our contractor is a joint venture composed of Combustion Equipment Associates and Occidental Petroleum. Through the construction contract they have agreed to have a commercially operational system by March of 1978, and if they are not successful in meeting the operational deadline, they are obligated to pay debt service and provide for disposal whether or not the recovery facility is operational. We believe that the legal arrangements are sufficiently iron-bound and the financial integrity of the guarantors is ample enough to insure that these legal commitments will be met.

Physically, the system will consist of a number of transfer stations to which solid waste will be delivered by the participating municipalities. Once the material is delivered at a transfer station, it becomes the responsibility of the contractor to dispose of it at the agreed upon price. Disposition will consist of hauling from the transfer station to the main resource recovery facility, which is located in Bridgeport. There will occur a so-called "front end" separation which results in the segregation of ferrous and non-ferrous metals and glass. The remaining material will be processed, through a proprietary technique, into a

powdery, dry fuel which can be mixed with oil and burned in boilers to produce electricity. It is anticipated that the United Illuminating Company will be the purchaser of this fuel. A pilot project for the Bridgeport plant is located in East Bridgewater, Massachusetts, and has produced thirty or forty tons of fuel which have been burned at the Century Brass plant in Waterbury. I am told that the results of this burning live up to anticipations.

From this description you will have some idea of the physical complexity of a full-blown resource recovery facility. I assure you that the legal and financial arrangements connected with this enterprise are complex. Providing the capital for the facility was a bond issue in the amount of $53,000,000 which has been successfully marketed. We are in the process of administering this contract with the cooperation and support of an interlocal association of participating municipalities. We are also in the process of inviting the participation of other towns, such as the City of Stamford, to increase the volume and consequently the revenues of the Greater Bridgeport System.

We are presently having discussions with fifty-five of the towns in the lower Housatonic and lower Naugatuck Valley and in the central spine of the state to determine their willingness to participate in a further resource recovery project. The results of this effort are incomplete, but as of this date I believe that twenty of the fifty-five towns have indicated their wish to participate through the adoption of resolutions by their legislative bodies.

I should mention that under technologies presently regarded as reliable the capital investment in the resource or energy recovery facility appears to be justified only if it handles a very large daily tonnage of waste. The Bridgeport plant, for example, is designed for a maximum operational capacity of 2200 tons per day. As we move away from regions with a heavy population concentration

such as Fairfield County, we are confronted with a challenging planning problem involving the questions of not only where but whether and when. While we feel that the Bridgeport facility is entirely appropriate in connection with the service area to which it relates, it may be that the Authority will be looking at other interim, less capital intensive approaches or exploring technologies which can be efficient at a smaller scale than 1500 tons per day. A cautionary note is added by the fact that while many resource recovery facilities are under construction, in fact there are probably only five or six large facilities in successful operation today. One of these is in Saugus, Massachusetts, where a highly reliable technology is being applied to produce steam from direct incineration of the waste stream in an environmentally acceptable manner.

You will note that the Authority neither has nor wants regulatory powers. In other words, municipalities participate in our system on a willing basis and only if the costs which are associated with our projects are competitive with other options open to the towns. We do not participate in any way with the Department of Environmental Protection in the regulatory process.

On the other hand, DEP possesses vast and necessary regulatory authorities, many of which are applicable to solid waste management. The municipal operation of an incinerator may impact upon air quality, and often does. DEP is legally responsible to maintain and improve air quality. Dumps or landfills may affect the quality of the ground or surface waters, and often they do. Eliminating this water polluting leachate is the regulatory responsibility of DEP. DEP also has direct regulatory authorities in connection with solid waste management itself.

This demonstrates that the roles of DEP and CRRA are quite distinct and separate, and necessarily so. Whereas DEP is the planner and regulator, CRRA exists to provide municipalities with an option to enable them to deal with their solid waste when their existing facilities are shut down for environmental or other reasons. We think that it is very important

that these roles not be confused as they certainly would be confused if they were included within a single agency such as the DEP.

Further, including CRRA within DEP would lose the private sector orientation which CRRA sees as essential to organizing resource recovery systems. We are not, again I say, in the public works construction business. We are not in the business of operating facilities. One reason we are not is because of the sound legislative judgment that given sufficient financial incentive, the private sector can perform these roles more efficiently than government.

I remind you also that everything that we have done and everything that we contemplate doing will be done through the utilization of funds provided by private investors purchasing our bonds in the knowledge that projects are on a secure financial footing and can be supported by their revenues. We feel that the confidence which the investors have demonstrated in us would be eroded to some extent by our inclusion within the Department of Environmental Protection.

Finally, I remind you that we do have outstanding $53,000,000 in special revenue bonds. While I have not talked to Bond Counsel on this, the effect of our amalgamation into the Department of Environmental Protection on the existing bonding and, indeed, on the Greater Bridgeport System itself, would have to be studied very carefully before the enactment of any legislation which would have an adverse impact.

Apart from all this, I do not feel that it is timely for the Legislature seriously to consider incorporating CRRA within DEP. This is a young organization which has learned a great deal in a field where just about everything we do is unique. I believe that Commissioner Pac shares my view that the public contribution is sufficiently expressed by the membership of our three commissioners and two legislators on our Board of Directors, as well as the statutory requirement

that one of our Directors shall be a town manager of a town of less than 50,000 and one of a town greater than 50,000. I believe that Commissioner Pac also shares with my conclusion that the existence of CRRA within DEP would have an adverse effect on that Department's regulatory and enforcement duties.

(2) The second aspect of the Filer Report on which I would like to offer comment involves an issue which will be understandable in the light of what has already been said. Under the heading "Special Problems of Revenue Bond Agencies" the CRRA, the Connecticut Housing Finance Authority, and the Connecticut Health and Educational Facilities Authority are affected by the recommendation that revenue bonds "... be issued only by the Treasurer of the State with the receipts segregated for the use of the revenue bonding agencies on whose behalf the bonds were issued. Bonds can only be issued with the consent of the Governor as to the purpose and amount, a power which would probably be delegated by the Governor to the head of the budget function."

I have already stated in several different ways that an Authority project is predicated upon the self-sufficiency of that project -- in other words, whether or not the expected revenues from the project will support the revenue bonds. This self-sufficiency philosophy is the key to the Authority's role as a catalyst for resolving problems on the local level. The recommendation appears to ignore the fact that checks and balances are already provided by the ex-officio members on our Board, including the Commissioner of Finance Control. This assures our conformity with central policy goals and standard administrative practices.

Further, the recommendation fails to recognize that any borrowing by the Authority presently requires the approval of the State Treasurer. We often meet with representatives of the State Treasurer's Office to make sure that the direction which we are taking is in harmony with what he regards as the best

financial practices. To us it makes no sense to add an additional administrative requirement when we already have these existing safeguards in place.

I would note with some pride in closing that nothing better epitomizes the soundness of the financing policy incorporated in the Statewide Solid Waste Management Services Act adopted in 1973 than the fact that the Bridgeport Bond Issue of $53,000,000 has in fact been marketed at a AA rating and with an advantageous interest rate.

I believe that Commissioner Pac concurs with my recommendation to this Committee that neither of these recommendations of the Filer Report should be carried out in the case of the Connecticut Resources Recovery Authority, but that we should be allowed to carry out without statutory modification the mandate of your legislative predecessors within the structure which they so wisely and carefully selected.

1 GOVERNMENT ADMINISTRATION & POLICY

Senate Chambers
April 4, 1977
4:00 P.M.

PRESIDING CHAIRMAN: Representative Hendel

COMMITTEE MEMBERS PRESENT:

SENATORS: Baker, Johnson

REPRESENTATIVES: Hendel, Julian, Wojtas, Vance, Barnes, Serrani

REPRESENTATIVE HENDEL: Public Hearing to order, this Public Hearing held by the Government Administration & Policy Committee on Bills 357, 945, 6109, 944, and 943. Hearing the Bills this afternoon is Senator Wayne Baker, Senate Chairman of GAP, Representative John Julian, Representative Joyce Wojtas, and Representative Warren Vance. And I'm Representative Pat Hendel, House Chairman of GAP. I have, as you know, our procedures here that have been adopted by the rules are to allow legislators to speak first, and then people from the agencies and then the public. Are there any Legislators who wish to speak? Ted, want to take the microphone?

REPRESENTATIVE CUMMINGS: Thank you Madam Chairman, Senator Baker and other members of the Committee, my name is Ted Cummings, I'm Representative from District 12. Speaking on 6109 AN ACT CONCERNING THE ALCOHOL AND DRUG COUNCILS, which Bill was submitted by myself through Public Health and received a joint favorable from the Public Health & Safety Committee, and with some modifications, and was referred to your Committee last Wednesday, I believe. The printed copy of 6109 unfortunately does not contain the modifications made by Public Health & Safety to that Bill. There were several which were technical in nature, however, there are two which are substantive and I would remark first to those particular changes, since they have not, since they are not included in the file copy which you have before you.

The first major change is in the make-up of the council, the combined council of Alcohol & Drug Abuse has been changed to include a lesser number of commissioners and to include five members, five persons from the Alcohol community, from the alcohol treatment, alcoholism treatment community, and five from the drug treatment community, and the changes were so made so as to prevent any conflict of interests arising from membership on the combined council of five people from those two particular fields; that is, they would not be providers who would be receiving funds either state or federal grants. And, as I said, that would prevent the, the, the conflict of interests nature of that particular membership.

Also, another major substantive change is in the relationship of the combined council to the Regional Mental Health Boards, so as to tie in participation of those boards with the combined councils. Basically, the Bill is offered to you in the context that GAP is considering a Department of Health Services, because some of us feel that the peril of alcohol and drug abuse is of such immediacy and such magnitude we feel that alcohol and drug abuse should be considered in the same - with the same importance, with the same recognition and with the same strength as does a Department of Public Health, and a Department of Mental Health, if those are the other departments that

MR. HARRIS (Continued): will remain separate and apart from any proposed reorganization) than any recommendations to create a new Department of Human Services which will have limited functions is really begging the issue. You will merely be finding another new name for the Welfare Department.

We suggest that the Department of Community Affairs capabilities in attracting Federal dollars for Human Services be built upon. We suggest that many Federal programs might best be administered and coordinated by DCA as part of its proper role as the State's Economic Opportunity Office.

Manpower planning and administration under the Comprehensive Employment and Training Act might best be housed at DCA. (Other states have already taken that step).

Title VII of the Older American Act which provides nutritional programming and supportive services to senior citizens might best be housed at DCA. (Other states have taken that position already).

The administration of Title XX of the Social Security Act might best be housed at DCA (at least one state has made that decision to date).

Consumer advocate programs, economic development projects and other functions might better be coordinated where they - they are a part of DCA. (Other states have already taken that position).

But, at the very least, if there is not to be one single Human Service Department which encompasses all of the functions recommended by the Filer Committee, DCA's current structure, which combines the State Office of E Economic Opportunity, local government technical assistance, human resource development peograms, day care and housing, should not be destroyed by reorganization, Without DCA, there is no voice on behalf of the poor and near-poor in state government. There is a difference in tone, emphasizing the meaning between "community affairs" and "human services." We feel that the State of Connecticut should build on its past successes in the area of "community affairs" and continue to exhibit the innovative and far-sighted leadership which has typified the actions of former General Assemblies.

REPRESENTATIVE HENDEL: Would you like to leave that statement with us?

MR. HARRIS: Yes.

REPRESENTATIVE HENDEL: Thank you, Mr., or Kit Northrup?
Belt #3
MS. NORTHRUP: My name is Kit Northrup, and I live in West Hartford. I'm an appointed member of the Commission on the Deaf & Hearing Impaired, as a parent of a hearing impaired child in public school. I will be referring to the Filer Committee also, because it seems fairly obvious that it is the underlying motive for a couple of pieces of legislation before us today. The Commission on the Deaf & Hearing Impaired is opposed to Bills No. 357, AN ACT CONCERNING THE EXECUTIVE REORGANIZATION OF ACT 1977, and 943 AN ACT CONCERNING THE CREATION OF A DEPARTMENT OF HUMAN SERVICES, and any legislation that would put the

MR. IERARDI (Continued): As this National attitude started to filter down to the states, agencies such as the State Alcoholic Council started to come into being. What this agency has provided community based programs is a coordinated state-wide effort to deal specifically with alcoholism. The results of this effort are, more treatment, better treatment, more education, strides into prevention, and most of all, greater penetration rates into the alcoholic population resulting in higher potential recovery rates.

I stand before you today in favor of this Bill, not because of what I feel this council can do, but rather based on what it already has done, and that makes it abundantly clear to me what their commitment to the future is. Thank you.

SENATOR BAKER: Thank you. Richard B. Schreiber, followed by Kevin Kinsella.

MR. SCHREIBER: Senator Baker, members of the Committee, I would like to present two statements, one as a private citizen, my name is Richard B. Schreiber, I'm a resident of Branford, Connecticut, and I'd like to speak just briefly, I'll try to make the whole statement very brief, to Bills 357, and to 943. On the one hand, I find 943 lacking in specifics, it is very difficult for me to comment on this as a citizen reading with the document as it stands, I have no idea what goes into the department as proposed. I infer from the comments of others that it is based on some measure on the proposals of the Filer Committee, the statement is made in the proposed bill adds very little by way of flushing out the general concepts of the Filer Committee.

With regard to 357, it, it's in a way like motherhood, the principal seems reasonable, however, I think there is a price tag that has submerged in Paragraph C, in which it designates GAP as a review committee. Surely, given the scope of that review, this is going to be something greater than theprogram review already reporting to the State Legislature, and the estimate of funding this kind of activity certainly must run into the millions of dollars. I urge the Committee to reconsider that, that function as contained in the Bill.

The sunset provisions in Paragraph B, I note surfaced in other Bills before the State Legislature and I assume that they do not necessarily have to be married to this Bill. That concludes my brief testimony on my own behalf, I am in addition, a Member of the Executive Committee of the Region II Regional Mental Health Board,

The Region II Mental Health Board adopted a statement on March 9, 1977, with regard to House Bill 6109. Now, that particular draft had an LCO number of 2555. It is our understanding because we just received a copy, if there is another fuller draft with LCO number 6235. We have not given that the same thorough review as we gave the other earlier one page rendition, nevertheless, based upon the perusal we have given this latest edition, our statement remains essentially the

MR. WALSH (Continued): in human services here in Connecticut, and I think that in your Proposed Bill 357 you list in your Statement of Purpose to create a structure for the Executive Branch of State Government, and I would like to suggest from the basis of what I've heard this afternoon of what people are saying to the Legislature, we would like to see the creation of a structure for communities and the executive branch of state Government, which is responsive to the needs of the people of this state. And which is sufficiently flexible to meet changing human and natural conditions.

Because it was in that light, I believe, that 6109 came forth. The Statement of Purpose in 6109, as drafted actually defines the reasons that the Board of Directors of my organization endorsed this Bill, and that Statement of Purpose is to increase the efficiency of alcohol and drug abuse programs in view of overlapping membership and concerns of the existing councils, and to remove these programs from the Department of Mental Health budget, where they have not received adequate priority.

The Southeastern Council on Alcoholism & Drug Dependents was incorporated under the laws of Connecticut in August of 1966, as a Regional Commission on Alcoholism. In September of 1969, we formally changed our corporate title to include both alcohol and drug dependents. Thus, we support the consolidation of the State Alcohol Council, and the State Drug Council, based on our 8 years of experience. The efficiencies and economies to be realized at the state level have already been field tested in the Southeastern Region by SCAD. The Statement of purpose also puts forth the inadequate priority level that alcohol and drug programs have received from the Department of Mental Health. We heard statements earlier today about the grand design of the Department of Mental Health. We heard the Commissioner tell that it is primarily a service deliverer, and then we heard explanations about the Grants Division of the Alcohol & Drug Dependents Division of the Department of Mental Health.

In the 8 years that SCAD has been delivering direct services in New London County, we have spent almost $2,000,000 in cash money. $750,000 of those dollars have come from the Department of Mental Health. The other dollars we have raised in our community and from other funding sources within this state. Our experience principally with the Law Enforcement Assistance Administration dollars in Connecticut, that came through the Connecticut Planning Committee on Criminal Administration has been one of the finest experiences we've had. Here was an organization created by the Legislature which was to set priorities for services, review applications, check the quality of the programs, and fund them. Our experience with CPCCA over the five years in which we received Grants from them, let us know what a really first rate organization can do with dollars.

In the eight years we have been receiving Grant monies from the Department of Mental Health, some $750,000, we have had to enter into 13 separate loan transactions with the Connecticut Bank & Trust for a total amount of borrowed dollars of $223,000, at a cost of $18,000 in interest, because the Grants Division of the Department of Mental Health cannot deliver the money to which it agrees on time. And as I testify at 20 minutes past 7 on April 4, our

1 GOVERNMENT ADMINISTRATION & POLICY Room 411
April 5, 1977
1:00 P.M.

PRESIDING CHAIRMAN: Senator Johnson

COMMITTEE MEMBERS PRESENT:

SENATORS: Baker, Johnson

LEGISLATORS:

SENATOR JOHNSON: I'm Senator Nancy Johnson of the Sixth District, and I'll convene the Public Hearing on Proposed Bill 934 AN ACT CONCERNING THE ADDITION OF CERTAIN CONSUMER RELATED FUNCTIONS TO THE CURRENT DEPARTMENT OF CONSUMER PROTECTION, concerning reorganization of the Department of Consumer Protection; 940 AN ACT CONCERNING THE CREATION OF A DEPARTMENT OF BUSINESS REGULATION, concerning the Department of Business Regulation, and 357 AN ACT CONCERNING THE EXECUTIVE REORGANIZATION ACT OF 1977, which is the Executive Reorganization Bill. First in our list of Agency speakers is Daniel R. Schaefer, of the Governor's Consumers Advisory Council, and the second person will be Gordon Hanna.

MR. SCHAEFER: Thank you. My name is Danield R. Schaefer

SENATOR JOHNSON: Wait just a minute, before you speak, may I make an apology to the people present today that when the Hearing was originally scheduled it was not known that the House would be in session, so, we have a problem with House Members not being here, and the, the three members of the Committee who are Senators are also tied up in and out, so I apologize, but the information, especially if you have written statements, please leave them and we distribute them and the testimony is typed and distributed. I'm sorry, Mr. Schaefer. Would you speak into the microphone?

MR. SCHAEFER: Yes, I will. My name is Daniel Schaefer, I'm a member of the Governor's Consumers Advisory Council, and I'm also a member of the State Attorney General's office, with this State, and by Statute, a member of our office serves on this Council. It isn't very often that a member of our office comes over here in legislation, I discussed this with the Attorney General, and we decided to make an exception because of the importance of what is involved. We feel that, on the Council, we feel that this legislation has a very far reaching impact on the public, and could have, and it is a massive change that is being proposed.

Now, before I go any further, I'd like to say that we have some other members of our Council who are here today, some of whom would like to address your Committee, and I'd like to introduce them. In the second row on the left is Don Doherty, who was with the Better Business Bureau of Hartford for over, for 13 years. An outfit which has had a little experience with consumer complaints, to say the least. Sitting next to him is Lina Wagner, who is with the Health Systems AUC of North Central Area by State, and whose husband, as an auto dealer, has been very active in "Autocap" which deals with consumer problems related to motor vehicles. Next to her is Polly Putriment who is

MR. SCHAEFER (Continued): active in her area of East Windsor, and is Chairman of the Democratic Town Committee, for the Town of East Windsor. Next to her is Neil "Landbury" who is the Director of Consumer Education Council for the Community Renewal Team of Greater Hartford, and who is also Director of the Greater Hartford Fuel Bank, and Director of Energy for the Greater Hartford Region, and I'm sure you've heard a little bit about the fuel bank and their problems and what they've been doing this winter.

Now, what are the duties of our Council? Our Council, under the present Statute has a duty to study consumer problems irrespective of which Agency has jurisdiction, and to recommend Legislation as a . There are other provisions in the areas of consumer education, but I would say this is the heart of it. And we have tried to serve to the best of our capacity. Someone has (INAUDIBLE) consumer problems which cross the lines of our State Departments in our State. I might add that originally our Council was restricted only to the Department of Consumer Protection. But, Madeline Matczko a Charter Member of our Council, who is with the AFL-CIO spoke before the Legislature several years ago and urged them to broaden the mandate of our Council on the basis that consumer problems cross departmental lines, and when you think about utility rates, administered by the Public Utility Control Board, insurance rates, which have gone up 50% in the last 18 months, the Insurance Department, Truth In Lending, Banking Department and so on, I think you get a little better idea of what I mean.

Now, basically I know that there are a lot of speakers who want to be heard and I want to try to summarize what we've been doing. What have we been doing recently? We've been in contact, and these are people working on, and I'll say we've accomplished final results, but these are letters and discussions that we've had. We have asked the Health Department about a program that would warn patients who have been exposed to ionized radiation and thyroid treatment to come in for examination. A program which was instituted in Pittsburgh and which was also voluntarily, and I might add is being promoted by the Department of the Navy for Navy personnel and their families. We are trying to see what can be done on a statewide basis to protect the consumers who have been exposed to this.

We have been working with the PUCA on, it may sound like a very minor problem, involving water shut-offs and the problem of water pumps in the Groton area where workers came home from Electric Boat and found that their water systems were not operating because the pumps were being neglected. Those were operated by a private utility company, a type of water company, which is a Public Utility company. That is not administered by the Department of Consumer Protection, that's under the PUCA, and one of our members, "Gemma" Moran talked to the PUCA as a member of our Council and was able to start the wheels moving. I could go on and on with this. And we have a list which we are going to, a copy which we have given to your staff and we are going to leave sufficient copies for your Committee, that's some of the things that we have been working on. Now, let's take a look at what the Filer Report said about us. And I might say that we not only feel strongly about this because of the

MR. SCHAEFER (Continued): way this has been arrived at, a lot of us feel that I quote from their report, Page 48: "Recent Council meetings have been concerned with auto repairs, interest rate information, the Truth In Lending Law and health costs availability and funding," and here's the sentence, "The Council addressess problems in all areas, and is not under the aegis of a Department of Consumer Protection. It may say what we should do, we should be channelled to the Department."

We address problems in all areas; this is an ambiguous statement, I would say that as an attorney, to say the very least. But reading this in the context, I can only conclude that somehow we're doing something wrong, that these problems that I've been discussing that our Council has been working on are irrelevant to the consumer, if that's the case, I would say that's a very narrow view of consumer protection.

Now, why do we have a Consumer Advisors Council? Why don't we just leave it to the State Agencies? Well, the problem is, it's a practical problem in government that very often the agencies which regulate that particular industry sometimes inadvertently get a little close to the industry, it is not that anyone is doing anything wrong, the industry has a right to be heard, but we feel that there should also be a voice for the consumer. And I say that, having worked with a number of State Agencies, including the State Insurance Department, the State Banking Department, the State Department of Consumer Protection, and the Department of Community Affairs, and I know from friends of mine that in our office, the Attorney General's Office, who have worked with still other agencies.

Now, why are we concerned about this recommendation? If we are transferred to the Department of Consumer Protection, we then become under that Department. In other words, our Council, which tries to insure that a Department like Consumer Protection considers the consumer's interests and tries to monitor that Department, we are now swallowed up by the very department that we are supposed to look at. Now, we have today a very excellent Commissioner of Consumer Protection, but it hasn't always been that way and I would say that under both administrations. I know of a time, for example, when the Commissioner told the Legislature that they didn't need any more investigators, didn't need any more personnel, and yet we couldn't try our cases because they didn't have the trained investigators to check these matters out.

Now, another problem, oh, I'd like to illustrate one point in this. One of our efforts in this area has been with the Pharmacy Commission, which is under Consumer Protection. We asked them about our state law that requires pharmacists to provide prospective purchasers with the prices of prescriptions and a lot of complaints, particularly from the elderly, that they couldn't get this information over the phone, we wrote to the Commissioner and our response was that we received well, they're going to ask for it, it came from the Attorney General that they really have to do that under the State Law. But, at least, we got that out of them, to start the wheels moving. If we are under the Department, we would then be co-equal with the Pharmacists Commission, and we would have no impact with them, certainly a very diminished

MR. SCHAEFER (Continued): impact. I was, I might add that in talking about the Pharmacy Commission, under our present legislation, they are under the Department of Consumer Protection for fiscal and budgetary purposes only. While I once personally observed a Deputy Commissioner of Consumer Protection tell the Pharmacy Commission that they weren't to make any public statements without clearing them with the Front Office, they need a commissioner, under a previous administration. And that's the problem that we're dealing with. Let's bring it out in the open.

Now, if this is the result that we want, fine. But if we're talking about a council that is supposed advise the Governor and the Legislature of consumer problems and to serve as a watchdog for the other State Agencies, that doesn't make much sense to reach that kind of result. With the other state agencies, our access would be greatly diminished. We would then be part of one of a number of parallel state agencies, when you talk about, as we said in the Service, the chain of command, we're down the road in the chain of command, and I have, we can talk about how the departments like to cooperate with each other, but I have seen this as a problem, not with our council, but with our office on other matters, such as the Four D Program, that's not a very easy task.

Now, one of the members of the Filer Commission said well, you claim then that the Department of Consumer Protection is not doing their job, and the PUCA is not doing their job. That's not the point. The question is, how do we know if they're doing their job? How do you know that without having a citizens' watchdog agency, what we get down to are some basic principles, and maybe these seem to be old fashioned, but I'm talking about the principles that is a government of laws, not of persons. The public doesn't have to be at the mercy of the good will of those who administer our government. We're talking about the principles of checks and balances. The Federalist Papers, as I recall, said that if men were angels, you wouldn't need a government, but because we're dealing with human nature, we have to have certain safeguards.

I think the events over the last few years in our National Government have demonstrated that. We've also been told that you really don't need advisory councils, and that's in the department- with respect to the Banking Department that the Commissioner should have the opportunity to consult with members of the public, but he should not be required to do so. Look at the PTA, you can be like the PTA, that's a close paraphrase of what someone on the Filer Commission told me. Well, first of all, let me say that you take, the problem is No. 1, have a legal requirement that our Commissioners talk their problems over with members of the public, and as a practical matter if they cannot talk their problems over with every person who walks in from the street, there is a need to have some structure to this, and some legal sanction and the members of our Council, we don't claim to know it all, we've got a lot to learn, but they have some background and some experience in the
Belt #2 In other words, what I'm trying to say is that we're a citizens Council, we have no law enforcement powers, and we seek none. We have no authority and no desire to order anyone around. Our only goal is to insure the consumer's interest is taken into account and that there is some feedback in these critical decisions that are being made at the State Level. We're talking about

MR. SCHAEFER (Continued): trying to bring the people to the government and the government to the people, so that we continue to be a government of the people, by the people and for the people.

And I don't think that's a half beat expression. I think that's a critical need today. We would be trying to operate so that, we'd have a state government that administers by commissions, but not commissars and in a democratic and not an autocratic fashion. Now, this is not to say there is no need for improvement. There certainly is, but we feel there should be a careful and a discriminating analysis and that brings me to the methodology involved in this report. And I'm sure there are a lot of well meaning persons involved in this process, but I still feel it leaves a lot to be desired. Let me explain. Earlier this year, I got a call from a staff member of the Council, "Ninas Groark" who is a friend of mine, and I happen to know her as an attorney.

She asked me what our council did, and I explained to her, as I'm trying to explain it to you, and how we dealt with other state agencies and try to monitor their efforts and her response was that's good, that's just what we're looking for and we saw that she got our minutes.

I heard nothing further from the Filer Commission until out came their report, and their preliminary report had the same statements as their final report that I read. I feel that it would have been far more desirable, if this is what their feelings were, to talk them out with us, so that we would have had a chance to discuss this matter that they were, to discuss this conclusion which, to me involves a very narrow view of consumer and the consumers' problems today.

Subsequently, there were a series of public hearings held by the Filer Commission. Every speaker was limited to three minutes speech, and that's no way to get a meaningful dialoque. We submitted a very thorough position paper to them, but by the time we could give them something that made sense, it was not just a mass of paper work, out came their final report. They can say how all these position papers were thoroughly discussed and considered, well, I spoke to a member of the Filer Commission, who I happen to know, and I explained the matter to him as I'm explaining it here, it seemed to come to him as something new. He didn't even know I was on this council, yet I signed the paper on our position report that we had sent, and they claimed that they considered them, I'd like to see the minutes and the records that show that this was considered.

I feel, and this is why we are pretty bitter about this, and this is why this Commission's work has not been greated with public acclamation. To me, quite frankly I'll lay it on the line, to proceed like that is a pretty shoddy way to operate. It is not fair to the people involved, but far more important than that, to me, the text, the quality of the research and the integrity of the research, because I get the feeling that they're trying to document the conclusion which they have reached previously.

MR. SCHAEFER (Continued): Now, there are other matters, I don't want to take up the time of the Committee, but I will leave, let it go at this, I feel that the financial face of the Commission and the membership could have been more broadly based. I don't feel that there was sufficient consumer impact and representation on the Filer Commission. I know that many of the people on the Commission are fine, dedicated persons, but when we talk about something like opinion, and that's what this involves, that's a matter of experience, background and knowledge, the public advocate is a fine person, but she happens to be a member of the Board of Directors of the Southern New England Telephone Company, she tried, I'm sure, to keep that separate from the work of the Commission, but again, we're talking about a system of laws, not of persons, safeguards. To illustrate, the earlier report came out with a proposal that the same department had the responsibility of regulating business would also be promoting. To me, that would be a serious conflict of interests.

There was a statement in there that business is the primary beneficiary, primary consumer of departments such as Insurance, Banking and PUCA. That's toned down a little bit, but now they have set it up in two departments, but they still say in their report that this is a major consumer of these agencies, which is true, but the report fails to state that these agencies also exist to serve the public, and the average consumer in the streets, and we don't claim the agencies exist only for the consumer, but they don't exist only for business, they exist to serve the public interest because as our courts of state, we're dealing with business affected with the public interest, I think that's an example why I feel the Filer Commission report is not completely in the public interest and was not, and does not reflect the broad background on something of this nature should.

Now, we're told that there is an emergency, that there are too many agencies, and we've got to do something about it. And this is the response, a deteriorating of confidence in government. I think without diminishing that, I think that the real issues in government, as I see them, are No. 1, we don't have enough personnel for our agencies to carry out the laws that they're supposed to. And, 2, we don't have enough public impact at all levels of government, executive, legislative and sometimes in the judicial, there has to be consideration of the public interests. These are the problems of government, and maybe if the Filer Commission talked these things over with us a little more, it might have taken more time, but they might not have been able to complete this within the deadline which they themselves imposed or which was given them; but, I don't feel there was any prisioners that had to be shot at sunrise, there was no great emergency to reach a deadline and to come up with a massive change, which to me was not thought out, the way something like this should be.

Now, we are told that our council has just a small budget and therefore, we don't count. We do have a small budget, we're a small council, we have no illusions of grandeur. We try to keep our budget small because we know the demands that are being placed on the Legislature, on the Governor, for funding and we've tried to do it on a volunteer basis to every extent that we can and

MR. SCHAEFER (Continued): use available resources. To me that's not a reason for swallowing up an Agency, that's no incentive to efficient and effective government. I mentioned about that he asked about the composition of the Filer Commission, and perhaps a little too much weighted towards business.

I don't say that business should not be represented. They are a fine element in our state, they are affected by our State, but they're not the only element affected by our state. The problem that we are dealing with is this: You can't run a business the way you would a government, but you cannot always operate a government the way you would a private business. The nature of the stockholder is a little different. I would recognize, however, that there are certain principles of business management that would apply. We see them violated in some of this legislation that is coming before you.

The principal of not separating authority from responsibility, I think that would be violated in a wholesale manner, as we indicate in our position paper, which we earlier provided the Committee, with the creation of a Department of Business Regulation, and I think that would be one big bottleneck to get at because all these divisions, Insurance, Banking, PUCA, would have to go to the Committee and we would have to control over their budgets, and personnel, even though supposedly they'd have some independence in case of judicial decisions.

Another principal that we see violated is the unclear, is having clear lines of control, if you read the Filer Report on business regulation, I think you'll see what I mean in our position paper that we've submitted. Another one is that you have independent audits in a business, and the auditors should have free access to the departments within the business, that we feel would be violated by having our council, which is supposed to be a watchdog agency, swallowed up by the very department that it is supposed to monitor.

I might point out then, when we talk about these super agencies, that I read recently that New York City, they are disbanding some of their departments, or the so-called super departments, because of the problems that have been encountered. Now, where should we look, what should happen? I note that in the Department, in the Filer Report recommendations they talk about an Office of Planning & Management and they recommended that, well, perhaps it was the Executive office, which is similar to them, and the recommended, recognized that there were certain agencies that dealt with a number of state agencies, either by regulating them or setting policies, and because of that, these agencies and their independence should not be completely destroyed. We don't regulate the other State agencies and we don't tell them what to do, but we consult with them, and I feel that we would come under that category, that principle would apply.

I know I've covered a lot of ground in the time we've had, I'd like to summarize a little bit. To me, when you're dealing with a massive program such as this, the issue is not maintaining the status quo for the sake of maintaining the status quo, and it is not changed for the sake of change either. To me, the question is, is change warranted? There is need for improvement, but it should be done on a ongoing basis, perhaps the auditors of public accounts, but when we improve and change, we shouldn't do so in

MR. SCHAEFER (Continued): a way that would violate checks and balances and the doctrine of separations of powers. This may not comport with everyone's idea of an organization chart, but I'd like to remind the Council, remind the Committee, of what the U. S. Supreme Court once said about the problems of government and that's what we're dealing with, the problems of government here. The problems of government are practical, and may justify, if they do not require what accommodations, illogical as it may be and unscientific, the issue that I would like to leave you with is are we really accomplishing something to be proud of, and something worthwhile if we have less agencies at the price of agencies which are less effective. We feel that there may be some (INAUDIBLE) not in the public interest of the State of Connecticut, that aren't in the interest of the people of the State of Connecticut. We have some extra copies of our some of our council members, the work that we've done and the summary of Federal and State Consumer Legislation which we believe is the first ever published up, in the State of Connecticut, and we have other members of our council who can speak on this in specific areas.

Belt #3 Thank you very much for giving

SENATOR JOHNSON: What is your budget?

MR. SCHAEFER: Our budget is approximately, $1000, $500 is for secretarial, $500 is set aside for mileage reimbursement. We serve without pay. I think there was a deficiency appropriation to publish the Consumer Legislation in the amount of approximately $1500, but that was a one-time matter, and we try to keep this down by using existing resources within the agencies by doing so on a volunteer basis. I'd be happy to answer any other questions.

SENATOR JOHNSON: Do you, in doing your work, what groups do you coordinate with, I mean, there are other people who are doing evaluation of product and service. How do you coordinate with those groups?

MR. SCHAEFER: Well, I'm not sure I know which groups

SENATOR JOHNSON: For instance, I'm not sure myself exactly where it is done in the Department of Consumer Affairs, but there must be people in that Department who are doing work similar to yours.

MR. SCHAEFER: Yes, but do they come under that department? They are subject to the control of the Commission.

SENATOR JOHNSON: I understand that, but do you, in doing your work, have any relationship with them?

MR. SCHAEFER: Certainly, we do and we've talked with Commissioner Hesslin about a number of matters. We've met with her, and we've been in contact with her on issues that I mentioned, in addition to question I'd give it, on shelf-like pricing the laws that are administered by her, or matters which we think she might want to think about, we certainly do talk with her and correspond with her and the personnel in that Department.

SENATOR JOHNSON: What about the personnel in other departments, like in Health, having to do with evaluation of services?

MR. SCHAEFER: We have spoken with the, we had a meeting with the Commissioner Lloyd of the Health Department in the summertime and we went over a number of problems dealing with health costs and so forth, and we have been in contact with him on the matter of involving ionizing and radiation treatment and we do have contact with that Department, and we have a list of the departments that we do have contact with. But we have found that there is no other Agency which is dedicated to the interests of the consumer; take a look at these departments. When you talk about the Department of Health, they, of course, you know, regulate the physicians, and sometimes it's not through anyone's fault, but they become very sensitive to the problems of physicians and we feel that we should be a counter weight and that's why we feel it is inappropriate to have us swallowed up by another department.

SENATOR JOHNSON: What is your response to this current move to include consumer representation on all these ?

MR. SCHAEFER: We, of course, we are in favor of it, we're definitely in favor of it and we support, we support it, we don't have to go through a Commissioner to get the commission's approval, we support it because we feel it is a good idea. I might add that one of the problems that we see if we were under Consumer Protection is we have to compete with a number of other divisions within that Department, not only Law Division, Food Division, Weights & Measures Division, you know the Commissioner is also the Commissioner of Boxing, we don't think that's a good idea because it diverts her attention from many other problems. That's just the problem that we see in these kinds of recommendations. Here's a bill, it's not 934, but it is one that has been talked about, they want to put in that Department the Connecticut , the Connecticut Equine Advisory Council, the State Board of Landscape Architects, the State Tree Protection Examining Board, not consumer protection, but tree protection. We feel that we'd be lost in that Department and we don't see any other council that serves our function in monitoring the consumer work of these departments. These departments certainly supervise their own operations, but as I've mentioned, human nature being what it is, none of us are perfect and all of us have our faults, it's not because of anyone doing anything wrong, and that's we feel if it is to be a meaningful audit, it should not be under the control of the same Department that we are supposed to observe and talk with.

SENATOR JOHNSON: Thank you.

MR. SCHAEFER: Thank you.

SENATOR JOHNSON: I'd like to introduce Senator Wayne Baker, who is the Senate Chairman of this Commission, the Committee, and we'll continue the hearing.

SENATOR BAKER: Gordon Hanna? Followed by Donald Doherty.

MR. HANNA: My name is Gordon Hanna, and I'm the Chief Analytical Chemist at the Connecticut Agricultural Experiment Station in New Haven, and also State Chemist, State Chemist.

State Chemist is a designation of persons by Section 4-22 of the Statutes. Once designated, the person may perform analyses that shall be legal evidence and can be used in court without the chemist appearing.

Thus, State Chemist is an authorization of a person and not an organization or function that need be placed on charts of state organizations.

Therefore, I suggest that State Chemist be omitted from Proposed Bill No. 934.

Senator Baker: Thank you, do you want to leave that?

MR. HANNA: Okay, sure.

SENATOR BAKER: Donald Doherty? Followed by Walter Dillman.

MR. DOHERTY: I'm Donald Doherty, member of the Governor's Consumer Advisory Council, I'll be very brief. The reason I feel that the Council should stay as is, is that it deals with all types of consumer situations and, therefore, it deals with all the various departments and if it was under the egis of any one department, it obviously couldn't get the same reception as it does now by being independent.

SENATOR BAKER: Okay, thank you very much. Walter Dillman? Followed by Joseph Uehlein.

MR. DILLMAN: Mr. Chairman, Members of the Committee, my name is Walter Dillman, I am a member of the Dairy Division, Department of Agriculture. I am here to testify against Senate Bill 934 AN ACT CONCERNING THE ADDITION OF CERTAIN CONSUMER RELATED FUNCTIONS TO THE CURRENT DEPARTMENT OF CONSUMER PROTECTION.

The Thrust of all comments or argument against Senate Bill 934 must be based on the fact to fragment the Dairy Division would only create greater expense for the taxpayer and reduced protection for the consumer.

Why would this be so?

1. Presently the Dairy Division has control of milk and milk products from the cow to the consumer.

2. This Division participates in the National Conference of Interstate Milk Shipments. This Conference is comprised of the milk sanitation agencies within 49 states, and is governed by a General Assembly. The

MR. DILLMAN (Continued): objective of the Conference is to promote the best possible milk supply for all the people by adopting sound, uniform procedures which will be accepted by participating milk control agencies and by utilizing Public Health Service - Food and Drug Administration personnel for training programs and using that agency as a channel for the dissemination of information among state agencies. This body has considerable influence on the formation of both Federal and State regulations pertaining to milk.

3. This Division participates in and enforces the Pasteurized Milk Ordinance and related programs of the United States Public Health Service. These programs are based on a memorandum of understanding between the United States Food and Drug Administration and the National Conference on Interstate Milk Shipments. This program encompasses all phases of the dairy industry, including inspection and sampling of farms, milk processing plants, and milk and milk products sold at retail. Also included are the fabrication of single service containers and closures for milk and milk products, condensed and dry milk products and dry whey used in pasteurized milk products. Twelve Connecticut registered milk processing plants and their supply that is, the farms, come under this program and this accounts for approximately 90% of the milk sold in Connecticut. Conformance to the program is also necessary for Connecticut Processing Plants (and their farm supply to market their products in other states or to military installations, airlines, buses, boats, railroads, or to any other customer, such as public schools where having a U.S. Public Health rating is required as a condition of sale.

4. In order to comply with the provision of the U.S. Public Health Program, this Division has 6 Public Health Certified Milk Sanitation Rating Officers and 2 Public Health Certified Milk Sampling Surveillance Officers. These certified officers rate milk processing plants, condensed manufacturing plants, dry milk manufacturing plants, cottage cheese plants, single service container and closure manufacturing plants and farms. The surveillance officers are responsible for insuring that samples of milk and milk products for official analysis sampled at farms, processing plants and retail outlets are taken, held and transported in accordance with official procedures. Ratings involve items such as inspection of dairy farms; producers, milk haulers and transfer stations to insure valid permits; T.B. and brucellosis certification; laboratory procedures to see that they're U.S.P.H. approved; plant inspections; testing of pasteurizing equipment; water supplies and cooling waters tested; sampling of milk and milk products; record keeping; proper labeling of milk and milk products; milk and milk products sold in retail outlets in original containers; milk and milk products maintained at 45 degrees Fahrenheit or less in retail outlets, and on, and on, and on. These Officers also rate, at the request of the Department of Consumer Protection frozen dessert plants located in Connecticut so that they may sell their products in other states.

MR. DILLMAN (Continued): 5. In addition to the requirement that processors, sub-dealers and producer dealers be registered with this Division as required by Chapter 430 of the General Statutes, Chapter 431 of the General Statutes requires that processors, sub-dealers, producer dealers and stores be licensed. In order to enforce the provisions of Chapter 430 and 431 of the General Statute and the appropriate regulations, this Department, from time to time, must revoke the licenses of the above to protect and promote the public health and welfare and prevent fraud, as part of its responsibility to effectively control and regulate the production, transportation, manufacture, processing, storage, distribution, sale and handling of milk as a business affecting the public health and interest.

6. The dairy industry is the oldest, most highly regulated food industry in this state and in the nation, aimed at protecting the public health and providing a wholesome milk supply.

A research paper recently published in the "Journal of Food Protection" by staff members of the Agricultural Experiment Station at New Haven and of the Dairy Division of this Department received widespread publicity because this paper noted that samples taken from retail stores in 1975 and analyzed by the Dairy Division, that 15% of these samples were organoleptically unacceptable. It should be noted that our inspectors are instructed to sample the oldest milk offered for sale in any given store. This same study stated that 7.8% of the milk sampled out of schools was organoleptically unacceptable. How does this compare to other states? We could not find any figures from Massachusetts. The only figures for New York was a report on school milk in New York which stated that 23% of the samples were free of flavor defects, 60% had slight off flavors and 17% were downright awful. Pennsylvania reports that approximately 28 to 35% of their retail samples are rated "poor." Vermont did not have any information on retail outlets, reported that approximately 3% of the samples taken directly from processing plants rated "poor."

In summary, I hope it is apparent from the foregoing, that the duties and responsibilities of the Dairy Division are so closely related one to the other that to fragment these responsibilities would be folly. Our relationship with the Department of Consumer Protection has always been good and cooperation between the two Departments has been excellent. Even so, to split the responsibilities of the Dairy Division could not but help lead to waste through duplication, lack of uniformity due to differences in opinion and lagging communications. The State of Massachusett has a situation in which responsibilities are split and J. Peter Griffin reports this conditions as being "horrible." New York State responsibilities were split and this proved to create such confusion that recently they were put back under one department. Pennsylvania, New Jersey and Vermont all have their dairy responsibilities from "cow to consumer" under one department. Even under the Interstate Milk Shipments program, administered by the U. S. Public Health Service, their enforcement

Belt #4

MR. DILLMAN (Continued): rating is based on having a total program from the "cow to consumer" based on the rationale, that to be effective, one agency must have the control and the responsibility for the entire program. Thank you.

SENATOR BAKER: Thank you. Joseph Uehlein, followed by Thomas Cosgrove. Joseph U E H L E I N ? All right, Thomas Cosgrove, followed by Walter Bryant.

MR. COSGROVE: My name is Thomas Cosgrove, and I am the Director of Research for the Committee on the Structure of State Government, and I am here today to talk in support of the bills under discussion by the Government Administration & Policy Committee, I think rather than go into a defense, I think the ideas are very clearly outlined in, in our report. I would like to point to a problem mentioned by a previous speaker and the problem is the agricultural products regulation split. Having spent some time with the Agriculture Commissioner, going from farm to store over an entire day, I think it's a very difficult split to make and, and I think that's why there has been some, some debate between the Consumer Protection Department and the Agriculture Department as to who regulates dairy products. Our Committee came to the conclusion that Consumer Protection should control everything that is in the retail store and that the Agriculture Department should control everything on the farm.

It becomes a very difficult question when you realize that, for example, the apple wholesalers tend to be the apple growers, and the, the split with dairy products is equally as difficult to understand, it's a gray area because the wholesale people who take the milk from the farm also are the ones who are delivering directly to the stores, so there, you have to decide whether the wholesaler is dealing more in terms of retail or in terms of the farm, and it depends on whether you, you go forward or you go backward as far as where, where you want to start the regulation. Our Committee felt that the dealers, the wholesale dealers should be dealt with my the Department of Consumer Protection, but we would trust that the system of the GAP Committee would supersede our own thoughts on that issue.

You've already heard testimony on a previous date from the Commission of Pharmacy, saying that they feel they, they fall under the Health Department instead of the Department of Consumer Protection. That again is a judgment GAP should make, it's a half a dozen of one and six of another. As far as the Consumer Protection proposal, of my Committee, we feel that there should be a consolidation of effort, and the recommendations that we have made are aimed at solely unifying the effort in behalf of the consumer of the State of Connecticut. People may differ with our thoughts, we spent a considerable amount of time coming to the conclusions which you will find in the report, and we would be happy to talk to you, Senator Baker, or your Committee members, should there be any future questions. Thank you.

SENATOR BAKER: Mr. Bryant? Followed by Gemma Moran.

MR. BRYANT: Chairman Baker and Members of the Committee, my name is Walter M. Bryant, I live at 1016 Wolf Hill Road in Cheshire, I'm the Information & Communications Officer of Yankee Milk, Inc. I am testifying in opposition to Section 3, Line 23, of the Bill 934, which I have before me. Just a word about Yankee, Yankee is a producers cooperative, representing the great majority of milk producers for the Connecticut market. We are, or would be supervised by two agencies if this Bill passed as it's worded, in that we do operate a milk plant primarily for the purpose of disposing of unneeded day-to-day and seasonal surplus milk.

We previously testified that the Department of Agriculture should remain a separate entity. We think that an even greater mistake would be made if the functions of the Dairy Division within the Department of Agriculture were split, with a resulting division of responsibilities for the healthfulness of the state's milk supply.

Milk and dairy products have long been recognized as nutritionally superior and comparative low cost foods which have been and are, to some degree essential in the diet of our people. It has, therefore, been of great concern to all of us that the quality of our dairy products be strictly controlled. It is also significant that our agricultural colleges took the lead in doing the research in this field and through the extension service have done most of the educational work among dairy farmers and milk processors that was needed to implement their findings. That we have the healthful and adequate supplies of milk and dairy products that are available to the people of the state at reasonable prices, is a tribute to the leadership of people in agriculture, be they dairy farmers, educators, researchers, farm and plant inspectors, or processors.

A great part of the strength in our quality control system, both private and public, derives from the breadth of knowledge that comes to each of these people from their knowledge of the whole process from cow to consumer. For that reason, splitting the responsibility will have the result of placing an insurmountable burden on the quality control system. As the system now works, one agency has the duty of tracing a problem all the way through from the farm to the bottle in the store. At no point can anyone throw up his hands and say "that problem originates at the farm" or "That is a plant problem." The dairy division as it now functions must find the source of the problem and pin down responsibility for correction wherever and whenever it occurs.

Divided responsibility means divided accountability and that means poorer performance. We should not tinker with a system that is working so well. We strongly believe that the present structure of the Dairy Division within the Department of Agriculture is providing our people with better quality assurance than would be provided under the proposed change. That completes my statement, I'm available for questions.

SENATOR BAKER: Thank you, Mr. Bryant, do you want to leave your

MR. BRYANT: I will leave a couple of copies.

SENATOR BAKER: Okay, thank you, Gemma Moran? Followed by Columbus Lanier.

UNKNOWN SPEAKER: She's a member of our Council, I meant to leave these

UNKNOWN SPEAKER: I wondered about that.

UNKNOWN SPEAKER: Okay, thank you.

MS. MORAN: Senator Johnson, Senator Baker, I'm here because I have a reputation of speaking from my heart, not because I'm loaded in the "academia" and as several people have said, my emotion seems to come first, and then I follow with what I'm supposed to do; but nevertheless, I'm here with the official sanction of the State AFL-CIO, Mr. John Driscoll and those that are engaged in political action, and I'm removed from that portion, and I would like to tell you, if I may, briefly, just what the people in my classification do in the United States of America, and the reason I'm going to do this, sir and madam is because the role that we play is a very important one in the United States of America.

We are called AFL-CIO Community Service Representatives, my name is Gemma Moran, 134 Baker Avenue, in Groton; liaison with United Way of America. We are removed from the hours, wages and working conditions portions of the contract and entrusted with the human contract, which involves every phase of human suffering. Very few people in the United States of America actually know what we do, we are a task force of less than 200 people, and for 35 years the program itself is well respected on a common cause, mutual objective basis from both Management, Labor, public officials, religious officials, and entrusted through our hands would be the needs of any worker in the community, not only organized, nonorganized or any citizen that would need us.

And as such, they have placed this full-time staff people in the United Way, because the United Way itself is considered the most and greatest human service volunteer agency in our Country. What we have to do would be entrusted with the needs at any time of emergency or disaster, and I'm sorry that Senator Baker can't hear this and I hope, God willing, that you will let him know this, Senator Johnson, during periods of unemployment. It doesn't matter if there is a fire, flood or disaster or strike, I despise strikes, I care for farm labor, human suffering and I sit here before you, Senator Johnson, to tell you that what motivated me to get onto this Governor's Consumer's Advisory Council was during the Electric Boat strike for 22 weeks, for the first time in the history of Southeastern Connecticut, we had someone to help, the babies, the children and the wives of the workers. They were hungry and the general remarks would be they didn't have to go on strike, why did they. But there are some constitutional rights that workers in the

MS. MORAN (Continued): United States have, and I consider some of mine, and one of them being serving on this Council. And so, in view of this, a big calamity, a big disaster hit Southeastern Connecticut for 22 weeks. And it was my job, Senator Johnson, along with the rest of the volunteer and tax supported agencies to go in and do a job to take care of the people.

And we did this for 22 weeks, working on a common cause basis, attempting to alleviate human suffering. And the program that I was entailed with, again, has been going on for more than 30 years. Management, when it agrees to lock out workers, very seldom wants to see babies and children and wives suffer, no matter how hard the battles are, humans suffer along through every phase of living. So, at that time, and if I may tell this in the narrative form, I found the ripoffs that were happening with prices, what was happening with the landlords and the car payments and everything else, this business of consumer protection was, was obvious, then it had been before, and I made up my mind, at that time, and God willing that I could do it, that I would begin a process of education of consumer guidance and direction of consumer guidance, consumer protection, get counselling, and it would be called How To Survive, just to survive in this vast economy of ours, how to survive with conditions the way they are now, and I appealed on behalf of the Council for the good Senators to consider it, and with the other legislators, a unique group. I hope the time has come we should chuck the words Advisory Councils right out the window, in every phase of political autonomy.

The reason for this, I've lived this, I've seen it, and one when I took my job, we must change the image of labor in our community, everybody is anti-labor, strike, strike, strike. Well, maybe the time has come when
Belt #5 we should take any parcels, if I may be aesthetic enough to say this, Senator, that a woman should give their time, that are willing to do a job for the government, for the Legislators and for the citizens in our community are willing to do a job to help these people improve the way they are living, to eliminate anything fraudulent that is going on, and help the legislators themselves become more effective by working with us.

It seems to me now this Advisory Council, I would resign first, rather than be a member of a, a glamorized PTA group, because from what I see, and I have been around a long time, and kicked around, there are very few states in the Union I haven't been in. Very, even the type of suffering that I've been involved with, I've been there, and this is why I feel qualified to serve with these good people. Here's a handful of people that are going to get swallowed up into a great big title of another division and be not effective. Well, I pledged a commitment that if, in effect, this advisory council, one that could remain as an independent group, and prove themselves to the Governor, and prove themselves to you, and are willing to give their time, I think that that should be respected; I think from what I see, they should remain an independent group, removed from Consumer Protection Department and go out with a handful of people and prove what this kind of a group can do. I think that so much is going on now at the National and State level, I get it all day long, well, Gemma, one politician is just as good a crook as another, and I don't like that, I don't like that at all. When it comes to

MS. MORAN (Continued): this Council business, I brought with me, if I may take the liberty of doing so, because I dearly love the people I represent. Our jobs as Community Service Representatives, again, are removed from any political action groups. We work closely with every voluntary and tax supported human service agency in the community. We have nothing to do with politics. When a disaster and crisis befalls a community, we're right there. I have fought just to personify.

My good Senator, I want you to take a look at that (INAUDIBLE). The elderly use Keri Lotion, I'm shopping in one store, and side by side, this is on a small scale; 98¢, $2.29, I think that's a pretty good .

SENATOR JOHNSON: Both from the same store?

MS. MORAN: Same store. Which, Senator, side by side. 77¢ and $1.54. Side by side, Senator. This is just a little tiny, just a little tiny thing that's happening. I represent some 20,000 workers from the Nettle Council, General Dynamics. Give you an example of consumer protection in another area. The pipecoverers, Senator, most take a bath as soon as they come home from work because they are covered with asbestos covering. In one area of Southeastern Connecticut is an example. The water is controlled and run and supplied by an independent owner, that owns the water company. And I had a call in my office one day, and it went something like this. Do you know that I went home last night, Gemma, I could not take a bath, there was no water. They pay their rent, of course. My baby was very sick and had upchucked all day and that mess was there, if I may speak with respect, Senator. And come to find out, he was a consumer that pays the rent, the water is controlled by a private owner, who in effect had faulty equipment and had turned the water off and on as he felt like it. In the evening between the hours of 11 and 5:30 in the morning, no water. And, so I brought this to a good friend, Attorney Schaefer's attention, and through our Council, we were able to get some action on this.

This is the type of thing, we are also interested in small business people, because many small business people, at one time were workers in a shop or a factory, they, too, are a consumer, I don't consider ourselves as a council that would be just bigoted or biased on this kind of a thing. I think the small businessman needs protection, too.

I think I would like to, if I may, just go on record as saying that adamantly so, Senator, that we need this - at this time, we need this sort of thing. The Senators, they're, they're so gifted that if they can't see the social order today, cannot be compared to what it was 20 years ago. People are starving, they are getting ripped off left and right. For this little Council to be absorbed in a great big mass to be shared, there is not enough personnel. with all respect to you and the other dear people that represent us, I'm even like a Senator. In the State of Connecticut, we represent the state AFL 160,000 workers.

MS. MORAN (Continued): That's a lot of people. I represent Southeastern Connecticut. Like yourself, I work 35 hours a day, God willing, I should drop dead soon, and give myself a rest, but I would believe that's the only time. But, I'm seeing it day after day, after day. Two meetings with this Council under the direction of Dr. "Fetterman" who has inspired me beyond words, Attorney Dan Schaefer, and I, I'm not a politician, I talk through my heart, but they are an inspiration for the Governor, or each of you to turn your back to this kind of a, a group would be devastating. People are rejective enough in what law makers are doing. I want to go on record, if I may, humbly, as stating that you consider our request, not to toss this into some other unit, but to say we have a new taskforce willing to go out and do a job, that is a small bit of what's going on, Senator.

I hope I haven't taken too much time, but I, I would ask you please.

SENATOR JOHNSON: I wonder, first of all, how many members of your commission are there?

MS. MORAN: On our Commission right now? We have 7 serving, is that right Dan?

DAN: That's correct. (INAUDIBLE).

SENATOR JOHNSON: What I'm getting at is that some of your effectiveness is due to the fact that people around you can call you, that you do represent them?

MS. MORAN: Yes.

SENATOR JOHNSON: And, I, I'm wondering, you know, people who don't have any, who are not aware of someone like you, they must come into the Department of Consumer Protection, but does the Department of Consumer Protection ever refer problems to you, or ask you, have you dealt with this problem before?

MS. MORAN: Well, I think that, if you can take a look at what we have suggested for planned projects, one, myself, I run, I'm not going to evade your question, I think that maybe Attorney Schaefer could answer you much better, I don't have, you know, that

SENATOR JOHNSON: I realize that, and you may refer to him.

MS. MORAN: If I may. Because I'm comparatively new on the Council. If they do this, I think Attorney Schaefer would know this better. I would like to figure in on what the Community Services Representatives do, we run training institutes for eight weeks for members from the working world, they are familiarized with every human service agency in the community. This is done throughout the State of Connecticut. We're proud to boast that we have six full-time labor staff in this State working closely with the Governor, with each of you, I know other senators or lawmakers that

MS. MORAN (Continued): it has been an education to speak with each of you, we hardly ever meet, you know.

SENATOR JOHNSON: My, my association with you Consumer - Community Service Representatives has been the United Way, in New Britain.

MS. MORAN: Yes, yes, fine. Yes, yes, wonderful. Well, I would be with Southeastern Connecticut, Senator, I probably do the same work as they do. So, you know, at training institutes, we have had already at the top of the AFL-CIO Community Services Department, at a National level. They have a consumer Education Division, and bear in mind if you emphasizes it's not restricted only to organized labor. Men and women are citizens first and we have all kinds of people in the community. I have had many referrals myself that have helped just plain citizens that need help, it is that simple, Senator, it isn't a closed shop thing. So, that, ah

SENATOR JOHNSON: Well, do you ever refer cases that come to you to an advocate within the Department of Community Affairs, Consumer Affairs?

MS. MORAN: Well, quite frankly, the ones that I have had have gone to Consumer Protection. I think, again, if they are limited in personnel, it is kind of difficult to service everybody. I think that Attorney Schaefer should answer, just general, in that, because I haven't, I've been only serving a few months on this. But there, ah, we could sit here all day and I could talk to you all day and your time is too valuable to listen to me about what this entails. At, at the present time, we are entertaining a project for running a statewide Consumer Education Institute at a state level, sponsored by the state AFL-CIO and that, again, would be open to both members of management and labor on a joint common cause effort. And, I, I don't know, Senator if there is anything else that you would, I'm pleading passionately, I don't like the word Council, if I may be humble enough to express it to you. Perhaps it should be, maybe the time has come to change these words, because you dear legislators listen so much to so much from so many people and an advisory council here and an advisory council there and I know what that's all about. You know, the problem is that I don't consider this group as a glorified PTA group, I repeat myself, I have served on councils where I resigned because there is no, there is no room for glory in this kind of work, it is exhaustive, it's rewarding and it's God's work, if we may be aesthetic enough to consider this. I would say, in my heart, that if this council gets abolished then I've lost my faith in my State Government and I don't want to do that, I don't want to do that because I think a lot of you people are pretty nice people. But I would say, take a hard look, if you would be gracious enough to do that, and look upon this group as a new taskforce. Every one of them, I can't believe, I wish there were 50 of them, that's all I can tell you Senator, I wish I could do more.

SENATOR JOHNSON: Thank you, thank you.

MS. MORAN: I don't think you want these, do you?

SENATOR JOHNSON: Thank you. Columbus Lanier. You prefer Neil?

MR. LANIER: Neil, right, they call me Neil , right. My name is Neil Lanier, I'm the Director of Consumer Education & Counselling in CRT, household, the energy for the region. Senator Johnson, I'm here to try to probably present some of the factors or reasons why I feel the Members of the Council feel why the Bill 934 shouldn't put the Consumer Advisory Council under the Department of Consumer Protection.

I have only been with this Advisory Council for a period of, since December, and since I have been with the Advisory Council, there has been a lot of inspiration from all of the members to develop a system that will really answer to the problems of all of the consumers throughout this state.

As you know, the Department of Consumer Protection, or any other commission, you have to have a letter in writing for it to be heard, and many of the constituents which I represent can't read and write, some don't speak English, many of them are elderly which have forgotten how to write, and some, some of the points we have been able to work even before I joined this Commission, wrote the Commission, some of the Commissions, and since I've been with the Commission with the Advisory Council, I've been able to sit down with a group of people that are concerned about individuals and to develop some direction and also to help me to iron out many of the problems that have been existing, and haven't been heard by many of our Commissions. Not that they don't intend to hear those complaints, but they have never been able to obtain that information because of the illiterate reasons, and some of the people in the area, some of them just don't have the ability to try to go down and explain to a person, I know I found that to be a very difficult problem, which the attorney and the energy for example, I am the Director of Energy for the region, now for the New England - the Hartford, Greater Hartford Region, of the Community Renewal Team, and as you know, this summer, this winter, rather it was very hard and very difficult for those people to survive, many of the individuals didn't have the cost of fuel.

I've been able to sit down, to develop the right to live, we consider it to be to work with the people, to develop it, 76625, somewhere on there, to work with Attorney Davis, it was done in his effort of trying to combat some of the shut-offs and things that, which cause, you know a deterioration for many of our constituents in the state of Connecticut, what you call it, that leads to inferior education, if you can't read, if you're hungry, if you're cold, you can't really study, so it has been my job to try to work with the group to bring those problems to the group and find out what is our best way of trying to make recommendations or send letters to those departments that might be able to help these individuals.

MR. LANIER (Continued): And I feel by putting this under the Department of Consumer Protection, I worked in very close for the last six years with that Department, and in both administrations, by putting this under that Department will, wouldn't give us the, I guess the kind of
Belt #6 authority that group would have to have one consumer department, tell it, one commission telling another commission that you might not, you might not be doing your work the way we see it should be done. I think for me to go as a representative of the Department of Consumer Protection and go into the Department of Energy and say that I feel that propane gas is not being adhered to, and then, I think, it would create a problem of saying and who are you to tell me, you know, how this job should be done? I feel that we should be able to sit down with each of these Commissions than to try to make recommendations, not to tell them how to do their job, but to make some recommendation on the problem that we see, I have had over 6000 cases in my office of people that have suffered for one reason or another because of energy shut-offs, rules and regulations, have been changed, they can't interpret them. We cite the Bill 75625 for an example, to say that a person has the right to file a complaint, and during that process, the individual will not be turned off, but it does say you must pay your current bill and 20% of your back bill.

Many of the elderly that we serve, the back bill, 20% of that back bill is almost their whole paycheck, so therefore, they, they came to me through the Department, so they sat down, wrote someone from the Commission, sat down, wrote the Advisory Council, such as the Council we have, and to go over it with them and find out what, as a group, the best decision and what steps to take. It has been exciting, it has been very good, I think to have that kind of advisory council and to put that under any restriction, to be able to communicate with a direct letter, not from one individual, this is the way I feel it should be, but a group of seven, people that are concerned and involved with protection in the area of health and the area of energy, to see that together you talk about a united effort of consolidating a system that would work, to have, not to tell them how to make it work, but to sit down with them and develop something to help those individuals that are not being heard, in my opinion, I feel that it would really be putting a step in the wrong direction, maybe not in a bad direction, but in the wrong direction and I feel wholeheartedly so that to do that would restrict us to an area where we wouldn't be able to function as properly as they have been functioning.

And just another comment, to look at the background of the Consumer Advisory Council, which one I became a part, to know a little about, especially the Chairman of the Committee, Dr. "Federman" I've been working for her for six years, and in many instances I've seen a lot of things that have been accomplished by her, and economically as well as in the area of giving me suggestions and giving suggestions to our whole agency, utilizing their resources; so, I feel that to have the kind of resource pulling from all directions, we have a body that can advise not only the Governor, but members of the Legislation, and members of the Commission,

MR. LANIER (Continued): those that are appointed by State Officials, we can give them the kind of material that is necessary to do a good job. They all intend, I'm sure, to do the best with what they have, but to bring out those things that are not exposed, to give you something to work with and to help you make recommendations, not to demand that you do it, but to help you do that, I think, it would be a disaster to change this whole concept of the Consumer Department of Protection.

SENATOR JOHNSON: Would it have been, would it have been possible for you to go with some of these heating problems and things like that, directly to the Department of Special Services?

MR. LANIER: The Department of Social Services, as you know, only provides service for people on Aid For Dependent Children, now, there are individuals that are crippled, handicapped, and blind, for an example, they are not under that emergency fuel, which is a quarter of a million dollars issued by the State of Connecticut. If you are not receiving Aid For Dependent Children, you do not qualify for the Aid For Dependent Children functions, which would be a quarter of a million dollars. Therefore, the Federal Government, though our Agency, who was able to lend us something like $48,000, and with the fuel bank, I opened my door for people to call 24 hours a day, the only service in Hartford. You could call me at any time of night or morning, as a volunteer service, and then we paid for that, because I saved the Department of Social Service, not that they didn't want to do that, but they don't get paid to do that kind of work, so, as an individual concerned about some of the problems and

SENATOR JOHNSON: Were you administering fuel bank that we created through the Conference of Churches?

MR. LANIER: No, it wasn't. The first one, we had the first fuel bank, the Greater Hartford Community Fuel Bank, the Mayor of Hartford, along with the, ah, Brad Davis, we obtained that and we shared information with the State Fuel Bank, in order to show them how this is done in New Haven and places, I was providing service for them here in the Hartford Region. So, they, with our help to develop a fuel bank that would be recognized by the whole state, so we are still in operation that is

SENATOR JOHNSON: What, what was your relationship to the private sectors' fuel bank?

MR. LANIER: Well, I was the Director of that, while I was by the Committee, the Consumer Advisory Committee of the Fuel Bank, Chairman, Brad Davis and WTIC, the Mayor of Hartford, they granted the Community Renewal Team the opportunity to implement that program, to serve as a, as a provider for delivering the oil and gas, paying on that bill.

SENATOR JOHNSON: The picture I'm getting from you, is that this Council kinds of serves as a clearing house for problems as they come up, trying to mobilize services that are available through the State Government or the private sector.

MR. LANIER: Well, in many instances, we serve that way, but I think that we, as a council, can bring, for an example, the elderly, there is no way to identify an elderly person, you know, whether that individual is in a home are elderly, sick, crippled, or blind, something of that nature. That service would be discontinued. After discussing with the Committee, with the Advisory Council, we suggest to put a star to identify elderly homes, so that they wouldn't be turned off. I have been able to beg to not turn some of the other services off under the working poor, but the crippled and the handicapped, there should be two stars, we made a recommendation, to identify when you get ready to turn off, you know that there is a problem in that house and they should at least have the right to live, so we are sort of an, an advisor to those departments which appointed a Commission Office.

SENATOR JOHNSON: (INAUDIBLE) Thank you.

MR. LANIER: Thank you very much.

SENATOR JOHNSON: Is Lena Wagner here?

MS. WAGNER: No, I'm not speaking.

SENATOR JOHNSON: Oh, you're not speaking, okay.

MS. WAGNER: No,(INAUDIBLE)

SENATOR JOHNSON: Oh, yes, so you did. How about Joseph Uehlein. You got skipped over, were you out of the room?

MR. UEHLEIN: Yes, My name is Joseph Uehlein, I'm speaking in behalf of the Connecticut State Labor Council, AFL-CIO, and I'll speak very briefly on two bills this afternoon; the first one being Senate Bill 934, AN ACT CONCERNING THE ADDITION OF CERTAIN CONSUMER RELATED FUNCTIONS TO THE DEPARTMENT OF CONSUMER PROTECTION. We feel that the Governor's Consumer Advisory Council should remain separate from the Department of Consumer Protection. We feel that it is ridiculous to make it a part of the department that it is supposed to be overseeing the functions of. The Governor's Consumer Advisory Council is to be merged with anything at all, I feel it should be separate, but if it is to be merged with something, it should be in the Governor's Office of Policy & Management, set up under the Filer Commission, I, I think it is on your Chart, yes, but I should reiterate that we think it should remain an autonomous council, and certainly not part of the Department of Consumer Protection, the Council activities of this council cross departmental lines and for these reasons, we oppose Senate Bill 934, the other Bill I'd like to speak on is Senate Bill 940. This is a bill CONCERNING THE CREATION OF A DEPARTMENT OF BUSINESS REGULATION, the major Connecticut Business Regulatory Agencies, banking and Insurance Department, Real Estate Commission, Public Utilities, Worker Control Commission, are all currently independent organizations reporting directly to the Governor. I feel that these Commissions and

MR. UEHLEIN (Continued): Departments should remain autonomous. If they, these entities are for the protection of the consumer and we could question the wisdom of this move towards consolidation. If they are to provide for effective enforcement, they should remain separate. I feel that simply merging these into one, these different Commissions into one Department would not make their enforcement any more effective, so we'd also like to go on record as being opposed to Senate Bill 940.

SENATOR JOHNSON: Thank you. That being the end of the assigned speakers, may I ask if anyone else would like to speak?

MR. BIZER: All right, my name is David Beizer and I represent the Connecticut Bankers' Association. I'm laboring under the particular difficulty at this time, inasmuch as I really haven't reviewed in its entirety either Proposed Bill 357, or the entirety of the Filer Commission's report. However, it is my understanding that, that one of the, one of the items for consideration by the Committee is in a reorganization of the, some of the Committees now effecting banking, specifically the abolition of the Banking Commission to the Connecticut Public Deposit Protection Commission, and through the Advisory Council on Banking. I'd like to address those three.

Taking the latter first, we would have no objection to the abolition of the Advisory Council on Banking. I think, if you don't have the testimony already, I can indicate to you that in the past 10 years, this Council has not met, it is not effective, and there have been various bills in the bank's committee to abolish it, and to supplant its functions, we are in favor of that.

2. The Connecticut Public Deposit Protection Commission is a Commission which was set up a number of years ago, the purpose of which is to make secure funds which are state and municipal funds which are deposited with Connecticut Financial institutions. To a large extent, the safety of those funds has been guaranteed by insurance protections now afforded by the FDIC. The public money, the amount of protection is $100,000. And I would suggest that perhaps rather than a complete abolition of that Commission, the functions, be redesigned and at whatever sums of money that are on deposit, which are in excess of $100,000 be secured by collateral, much as is now done with the Public Deposit Protection Commission, but perhaps administered by a central or another agency.

SENATOR JOHNSON: It is my understanding that that is the intent, is to rearrange the administration or something like that so that it is integrated with the established setup, rather than having a separate entity.

MR. BIZER: Okay, fine. That brings me to the third, the third is the abolition of the Banking Commission. Well, as we, we would have no objection to the latter two, I think it is in this third area that the Connecticut Banker's Association would urge extreme caution and indeed perhaps would oppose this Recommendation. The reason for it is as follows: State

MR. BIZER: Chartered Banks are presently chartered upon application to the Banking Commission, which as you know, is composed of the State Treasurer, the Controller and the Bank Commissioner. Three individuals. To some extent, this insures that there is due consideration given to all the needs and requirements of the public, and to the rights and responsibilities and merits of the applicant, as well as to the rest of the banking community.

To oppose the responsibility in one individual, the bank commissioner, would in addition to placing perhaps undue responsibility on that individual, cause there to be great differences over time with different personalities in that position, moreso than would be in the public interest, and, and for that reason, we would oppose that elimination.

Secondly, I can call to your attention, if the Bank Commissioner has not already, the fact that the whole question of the structure of banking and the chartering of institutions has come up before the special committee to study recodification of the banking laws, and is being given examination and will come up this, this committee which should be extended another year, should come up with a new set of recommendations as to how best to handle the whole chartering function. And they are looking at it not just from the point of view of commercial banks or mutual savings banks, State Charter S&L's, credit unions and the like.

SENATOR JOHNSON: Okay, do I understand you correctly, in saying that it, it, that actually it isn't so much that you oppose the abolition of the Banking Commission, it is that you oppose the decision being made entirely by one person, and if, in fact, this Commission came up with with, with a method of evaluating charters and so on that involved more than the Banking Commissioner, that that would be acceptable?

elt #7 MR. BIZER: May or may not. That would depend in large part as to what the replacement was, the Banking Commission really is a cost saving function, does not, does not exist except as a body of three people to meet on certain occasions when called upon. So, in terms of the Filer - this particular recommendation of the Filer Commission, saving money, it really doesn't, it really doesn't. There is also not very much room in the Statutes devoted to its functions, and so in terms of simplifing our, our complex statutes, also the recommendation is not a great moment. I would think that before you abolish the Commission that there would be a, a, a recommendation for its replacement which the banking community and the public generally could comment upon so as we'd come out with a, a sound recommendation.

One, one final point, there is a Bill now pending before the Bank's, which is reported out of the Bank's Committee, and it is either pending before the House or Senate, I don't recall which number it is, which would, which would replace the Advisory Council on Banking with the Banking Commission as the body which hears complaints about improper practices of banks and lending institutions, and takes action, whether

MR. BIZER (Continued): cease and desist action, or removal of bank officers or directors, and if this provision were to go into place, removing the or abolishing the Banking Commission, you would have to find some new mechanism also of handling all those complaints against financial institutions that are now being handled by the Advisory Council, and hopefully if this Bill passes, by the Banking Commission. Thank you.

SENATOR JOHNSON: Thank you.

MR. BIZER: Thank you.

SENATOR JOHNSON: Are there any other members present, people present, who wish to speak? Mr. Schaefer?

MR. SCHAEFER: I just want to leave a copy of our Analysis and to answer the question, I hope I answered it properly, which you asked me, and that is, aren't there other agencies which supervise the Departments, the way ours would. I've thought about it and the answer is no, not to the best of my knowledge. The closest that you have to it is the Auditors of Public Accounts, and that is, of course, for financial, and now they are going into performance auditing, but we have nothing Focusing on in Consumer and if we had the time, I could spend many, many hours talking to you about examples under prior administrations of Consumer Protection, I remember once in Attorney General "Feehan's" office, we had the record of Frauds Division, and we were talking about a mail order fraud that had been going on for years, and it was still going on for years after the end of that administration, we spoke to the Department, to the Commissioner and to the personnel in the department, very little was done. It wasn't because they were in cahoots with them, but because this is a difficult matter to cope with. That's an example of what I mean when I say none of us are perfect, we should have a system of checks and balances to insure that we all work the way we are supposed to. Thank you very much.

SENATOR JOHNSON: Thank you. Is there anyone else who would wish to speak? The Public Hearing is closed then, thank you.

Please Mcluck in

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March 4, 1977

ANALYSIS BY THE GOVERNOR'S CONSUMERS ADVISORY COUNCIL OF THE FINAL REPORT OF THE COMMITTEE ON THE STRUCTURE OF STATE GOVERNMENT ("FILER" REPORT)

The Governor's Consumers Advisory Council, established pursuant to § 19-170b through § 19-170d, General Statutes, has, among its other responsibilities, the duty to:

> "(1) advise the governor on matters affecting the interests of the people as consumers in any area or field which the council believes affects such interests, irrespective of the department or agency having jurisdiction therein; (2) recommend to the governor and the general assembly legislation to protect and promote the interest of the people as consumers; (3) study consumer problems and report on them to the governor and conduct educational programs for the benefit of the people as consumers; (4) appear before governmental commissions, departments and agencies to represent and be heard on behalf of consumers' interests."

In accordance with these provisions, we wish to provide our analysis as to the consumer impact of the report in question. On December 15, 1976, our council reviewed at length the preliminary draft of the Filer Report. Our earlier review is enclosed and will be referred to in this analysis.

We begin with the cover letter to the Filer Report dated December 20, 1976 which states, in part:

> "Public opinion surveys indicate that public confidence in government at all levels remains low, and that it is lower nationwide for state government than for local or federal government."

The implication is that massive reorganization of government is needed to restore this confidence. Public confidence in government may well be less than it should be. However, the primary factors responsible for

this, in our opinion, are those which have received so much attention in recent years, such as:

1. Special interest lobbies which sap essential legislation of its strength and delay and defeat critically needed measures to protect the public;

2. Disproportionate influence of narrow partisan factors upon those who administer our laws and inadequate citizen involvement at many levels of government; and

3. Behind the scenes efforts to strip essential regulatory agencies of necessary personnel and other vital resources. These resources are often required for thorough investigation and enforcement of lawsintended to protect the general public from inequitable, oppressive and abusive practices which the average person is powerless to cope with on his own. All too often such undercutting is done under the guise of "efficiency," "economy," and "organizational improvement."

It is these factors which have been largely responsible for deterioration of public trust in government. Let us turn to them in more detail as they may relate to the Filer Report.

CONSUMERS ADVISORY COUNCIL

The Report, concerning our council, states:

> "Recent council meetings have been concerned with auto repairs, interest rate information, the truth-in-lending law, and health costs, availability and quality. The council addresses problems in all areas and is not under the aegis of the Department of Consumer Protection.
>
> "The Governor's Consumer Advisory Council should continue to be a policy advisory, educational and investigative body, but these functions should be undertaken solely as an advisory body to the Department of Consumer Protection rather than as an inde-

pendent body. The basic role - working to present advisory views to the department, the Governor and the legislature--would remain the same, but the effort would be clearly channelled, thus enhancing the impact of the Department of Consumer Protection."

P. 48.

First, the Report seems to question the role of the Council in meeting with agencies other than the Department of Consumer Protection. However, the areas discussed - auto repairs, interest rates, truth-in-lending and health costs - are of obvious consumer impact. This was recognized by the General Assembly in enacting the present legislation governing the Council. It would be very simplistic to pretend that the consumer public is not affected by the various functions referred to in the report, many of which are administered by agencies other than the Department of Consumer Protection.1/

For example, some of the more urgent consumer issues which cross departmental lines and which have received recent attention are as follows:

Escalating costs of hospitals and other health care institutions, including nursing homes, (under the jurisdiction of the Commission On Hospitals And Health Care).

Increases in Connecticut Blue Cross and Connecticut Medical Service rates (under the jurisdiction of State Insurance Department).

1/ For example, one of the most serious problems in the area of health services is that of costs. This is a matter of direct consumer concern. The Filer Report discusses the role of the Commission on Hospitals and Health Care in the setting of rates. This vital function should not be impaired in any reorganization. Therefore, we concur with the statement of the Health Systems Agency of North Central Connecticut that more study should be given before the CHHC assumes further responsibilities by being designated as the State Health Coordinating Council. In a related matter we also agree with that portion of the same statement above that considerable care should be given before placing mental retardation in a new health department, lest vital education and training services be compromised.

Questionable billing practices of some physicians as to the elderly under the Medicare program (not under the immediate jurisdiction of any state agency as of this time). See particularly The Hartford Courant, January 15, 1977, p. 11, "Medicare Billing Inquiry Misses Mark" and January 24, 1977, "State Elderly Held Not Getting 'Square Deal' On Medicare Aid").

Soaring auto insurance rates (as much as 50% in some cases) and inability of many drivers with satisfactory records to find insurance in the regular marketplace (under the jurisdiction of the State Insurance Department). See The Hartford Courant, January 27, 1977, p. 12.

Controversies over rising utility rates and utility "shutoffs" (under the jurisdiction of the Public Utilities Control Authority).

Problem of consumers who cannot afford high home heating costs (under the jurisdiction of Department of Social Services and also of concern to Department of Energy Planning).

Recent investigation by the U. S. General Accounting Office disclosing inadequate federal bank examinations and the need to tighten controls over self-dealing and other unsound practices that often lead to bank failures (under the jurisdiction of a number of federal agencies such as the Federal Reserve Board and the FDIC, but also of concern to the State Banking Dept.; see The Hartford Courant, December 27, 1976, p. 1, Washington Post Service, source.

The Committee's proposal would first make it extremely difficult, if not impossible, for the council to take an active interest in the consumer work of other state agencies. Secondly, attaching the Council to the Department of Consumer Protection would virtually destroy the Council's independence. Its effectiveness as a watch dog body would thus be greatly impaired, even in respect to the Consumer Protection Department upon which it would be dependent.

It is further noted that the Report states, "the Committee did not recommend abolishing any function or service." (p. 4) However, imposing these restrictions upon the Council would, in our opinion, deprive the public of the important service of ensuring consumer monitoring of the work of these state departments. In this respect it is significant that

the report refers to the difficulty of the Governor in reviewing the performance of a large number of state agencies. (p. 5) We feel that the Council can make a significant contribution in this area in the way of observation and reporting. Finally, the Report stresses the importance of citizen participation in government decision-making. It states, however, that this should be in the form of advice and not management. See pages 5 and 6. In particular, the report notes:

> "Advisory councils can be of considerable value to the top officials of the Executive Branch and contribute greatly to the overall success and public acceptance of state programs and services. Moreover, the advice and constructive criticism of a body of public-spirited citizens can be a wholesome thing and entirely in keeping with the strong tradition in Connecticut for citizen participation in the affairs of government."
>
> Id., p. 6.

We believe that this service can best be rendered by ensuring the independence of the Council and by preserving its means of communication with all interested state agencies. It is essential that the state take a coordinated approach in respect to consumer protection as in all other areas. The Council can be of assistance in this regard.

Finally, it should be pointed out that the organizational chart of the Executive Branch of the State Government is in error in respect to the Consumers Advisory Council. The Council is listed under the Department of Consumer Protection. However, under the General Statutes the Council, as an independent body, does not report to the Department of Consumer Protection or to any similar department. It makes its recommendations to the Governor and the General Assembly. We feel that were the situation otherwise, the objectivity of the Council would be compromised.

DEPARTMENT OF BUSINESS REGULATION

We now turn to the Filer Report proposal to create a single "Department of Business Regulation."

The preliminary draft of the Filer Report recommended combining many regulatory agencies such as the Insurance Department, Banking Department and PUCA into the same department which would also be respon-

sible for promoting business. As stated in our earlier comments, this, in our opinion, would have created a serious danger of conflict of interest. Fortunately, the final Filer Report now recommends that business regulation and promotion be separated in different departments.

Nevertheless, certain unsatisfactory recommendations remain in the final Report. These include the plan to consolidate into a single department the following agencies:

State Insurance Department
State Banking Department
State Public Utilities Control Authority
State Real Estate Commission
State Liquor Control Commission

This suggestion may have some surface appeal to those unfamiliar with the workings of these important agencies. But careful consideration discloses that it is fraught with very serious difficulties.

First, there is a danger that a "super-agency" consolidating these separate functions might be too unwieldy and unmanageable. The functions of these agencies are unique and require individual expertise. If they were to be combined under one commissioner, there would appear to be a weakening in the span of control, for the leadership of these agencies might well be spread out too thin. We are particularly concerned that this could impair the effectiveness of many departments which are vital in protecting the interests of the consumer as well as many other sectors of the public.

In this respect, it is significant that there has been recent criticism against other governmental forms of consolidation. For example, Senator Ribicoff has reportedly stated that the U. S. Department of Health, Education and Welfare "is simply too large and inefficient for any one man to administer." (The Hartford Courant, January 14, 1977, p. 2; quotation is from paraphrase by The Courant). Reorganizing HEW by splitting up some of its major units has also been proposed as a measure for controlling health costs (remarks of speakers at a recent symposium at the Washington Journalism Center, reported in The Hartford Courant, January 23, 1977).

Secondly, we are concerned that in the proposed single department authority and responsibility would be divided. The Filer Report states:

> "Although the committee is generally opposed to subordinates within a department being appointed by anyone other than the commissioner of that

> department, an exception should be made in this case because of the regulatory nature of the divisions. The heads of these units should be appointed by the Governor, with the opportunity for legislative review through the confirmation process.
>
> "The authority of the commissioner would also be somewhat circumsribed in the case of regulatory functions. The commissioner would have normal administrative powers such as control over office space, communications, etc., the power to recommend agency budgets, and the personnel function. His functions would be specifically defined by statute. All functions not transferred specifically to the commissioner would remain with the regulatory agency. The commissioner would not be permitted to reverse his subordinates' decisions in matters that were quasi-judicial or regulatory. Appeal from such decisions would be made directly to the courts, not to the commissioner.

To begin with, serving under the Commissioner would be heads of divisions appointed and confirmed by others than the Commissioner. In addition, the Commissioner's authority "would also be somewhat circumscribed in the case of regulatory Functions." He could not reverse his subordinates in "quasi-judical or regulatory" matters. These are not defined. Supposedly, however, they would include licensing and rate-making functions vital to the consumer as well as all other members of the public. Notwithstanding the Commissioner's lack of authority to reverse these decisions, he would still be empowered to recommend agency budgets and "the personnel functions" as part of his "normal administrative powers."

The point is that while various units, such as the PUCA, would be responsible for reaching critical regulatory decisions, they would lose control over budget and personnel recommendations. These agencies which are charged with important public responsibilities could easily lack the means to carry them out. On the other hand, the single Commissioner who would apparently have no such duties could still exercise authority as to how they could be executed.

The behind the scenes influence of the Department Commissioner could manifest itself in the form of general policy statements, "suggestions," and the inherent power to recommend reductions in budgets and personnel. We feel that any such prospect of hidden influence outside the hearing room is not in the best interests of the public.

A third objection to a super-agency for Business Regulation is the interposition of an additional level of bureaucracy. There is a danger that an unnecessary barrier would be created between vital state agencies and the public as well as the Governor.

We recognize the need for coordination and overall leadership. However, this duty should be vested in the chief executive of the state who is elected by the people, and not in intermediaries. It is the Governor who would presumably exercise superior judgment, understanding and sense of responsibility.

It is also noted that the Filer Report continues to state that the proposed department would result in a "relatively small, but meaningful savings in sharing administrative services and costs." (Id., p. 37). First, this appears to be somewhat inconsistent with the earlier statement in the Report that "the [Filer] Committee cannot in candor promise that any specified amount of savings will result from acceptance of the recommendations." (Report, p. 2).

More importantly, we are concerned that any such "savings" would be at the expense of providing essential public services. It has been the observation of our Council that one of the major problems in enforcement of consumer legislation has been inadequate staff at a number of levels. Certainly this difficulty should not be exacerbated in any proposed reorganization.

Finally, the Report states that "...business itself is a major consumer affected by a number of the regulatory activities suggested for the Department of Business Regulation." (Report, p. 49). It is true that business is certainly affected by these agencies, but so are hundreds of thousands of consumers and all other members of the public. As stated in our earlier review of December 15, 1976, these vital agencies exist not simply for business or the consumer alone, but for the overall public interest. To the extent that the Filer Report fails to recognize this, it continues to demonstrate a notable misapprehension as to the nature of this important area of governmental regulation. See our review of December 15, 1976, pages 3-9, and the legal authorities cited therein.

ECONOMIC DEVELOPMENT AND AGRICULTURE

The Report proposes to transfer the housing programs of the Department of Community Affairs and the Connecticut Housing Finance Authority (erroneously referred to at p. 38 as a "corporation") to a

new Department of Economic Development and Agriculture. Although the Report purports to recognize that the housing goals of these agencies are not purely commercial ones, it still would transfer them to a department whose primary objective would be business development.

We question whether this proposal is wise. The vital housing programs now administered by DCA and CHFA were not intended by the Legislature to benefit real estate developers. These important functions have been designed to make available decent housing conditions for low and moderate income families, particularly in tight money markets. These objectives could easily be compromised by their proposed transfer. These agencies also have an interest to ensure that public financing of their activities be limited to such areas where there is a proper public purpose. It would be highly questionable to allow public bond funds to be appropriated for real estate development and promotion in general, without any regard to the public benefit.

It is also noted that the recommendation to abolish the CHFA does not disclose what impact this would have upon encouraging low and moderate income housing. This is significant because the elimination of this agency would also appear to remove an important source of housing finance in the form of revenue bonds.

Similarly, the Filer recommendation to place agricultural functions within the proposed department should not be adopted without very careful study. We question whether these programs are really compatible with the concept of business promotion. The viability of local agriculture has a direct impact upon consumer price levels for such items as produce and dairy products. It is especially important, therefore, that legitimate agricutural interests not be compromised in any proposed reorganization.

IMPORTANCE OF COMMERCE AND INDUSTRY

We also fully appreciate the importance of commerce and industry to our state. It is essential that every reasonable and proper effort be made to promote and encourage these activities for the benefit of all -- investors, management, labor and the general economy.

In fact, we strongly support the efforts of the State Department of Commerce in locating new sites and buildings for company expansion and

relocation, providing appropriate financing for new facilities and equipment, helping obtain new business for smaller firms, consulting on and furnishing new sales leads for international trade, providing technical services and marketing expertise to small businesses, stimulating an awareness of new products and production techniques, researching new sources of raw materials, obtaining economic information of practical value to specific industries, and providing necessary liaison between private industry and state government.

The economic health of Connecticut business is vital for jobs as well as efficient production for consumers. But this must be accomplished in other ways than by impairing the functions of vital state agencies and the public interest which these agencies are charged with protecting.

* * * * *

The Council sincerely appreciates many of the issues discussed in the Filer Report. Nevertheless, consideration must also be given to other well-established principles of Government, namely, the doctrine of checks and balances. Perhaps the clearest discussion on this point is provided in The Federalist, No. 51, believed to be authored by either Alexander Hamilton or James Madison. This well-known article, dealing with a just partition of power, advised:

> "...contriving the interior structure of the government as that its several constitutent parts may, by their mutual relations, be the means of keeping each other in their proper places." (The Federalist, A Commentary on the Constitution of the United States, Modern Library ed., New York, Random House, p. 336).

* * * * *

> "In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent is admitted on all hands to be essential to the

preservation of liberty, it is evident that each department should have a will of its own; and consequently should have as little agency as possible in the appointment of the members of the others." Id., p. 336.

* * * * *

"...The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions." Id., p. 337.

The authors of the Federalist papers went on to state:

"This policy of supplying, by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs, private as well as public. We see it particularly displayed in all the subordinate distributions of power, where the constant aim is to divide and arrange the several offices in such a manner as that each may be a check on the other -- that the private interest of every individual may be a sentinel over the public rights. These inventions of prudence cannot be less requisite in the distribution of the supreme powers of the State." Id., pp. 337, 338.

In reviewing the organizational structure of state government, it would also be well to recall the following maxim first enunciated by the United States Supreme Court:

> "The problems of government are practical ones and may justify, if they do not require, rough accommodations, -- illogical, it may be, and unscientific."
>
> Metropolis Theatre Co. v. Chicago, 228 U.S. 61, 69-70 (1913).

In conclusion the Council urges, that in reviewing the recommendations contained in the Filer Report, we must also ensure that the vital functions of our government are carried out effectively, fairly and impartially.

Very respectfully,

CONSUMERS ADVISORY COUNCIL

By: Elsie Fetterman
Elsie Fetterman
Chairperson

EF:sum

GOVERNMENT ADMINISTRATION & POLICY

1-
Nmgm

April 7, 1977
4:00 p.m.

PRESIDING CHAIRMAN: Representative Hendel

COMMITTEE MEMBERS PRESENT:

SENATORS: Baker, Johnson

REPRESENTATIVES: Wojtas, Meyer, Vance, Sayre, Johnston, Osler

REPRESENTATIVE HENDEL: This is a public hearing on Bills pertaining to reorganization of higher education. I would like to call first, Senator DeNardis, and both the Minority & Majority Speaker's microphones are on.
Belt #1
Next speaker, Senator Schneller.

SENATOR DeNARDIS: Representative Hendel, Senator Baker, Members of the Government Administration & Policy Committee speaking on behalf of Representative Joan Kemler, and Members of the Program Review and Investigations Committee:

Reorganization of Higher Education

The Legislative Program Review and Investigations Committee voted last May to undertake a study of the Higher Education Governance Issue. The Committee did so because members believed this was an issue of major importance which should not be allowed to go unresolved another year. Members of the Committee devoted more time and effort to this study than we have to any other, meeting two and three times a week over the past few months. Our original scope included all of Public Higher Education Governance, not only the Central Board but the five Constituent Boards as well. Due to the pressures of time and lack of consensus on the best plan for constituent organization the Committee voted to narrow its focas to the creation of a stronger Central Board and to mandate that Board to present a proposal for the reorganization of the constituent units for General Assembly action in 1979. The new Board which we are recommending would have substantially strengthened authority in the critical areas of budget and planning. In addition its membership would be changed to assure that two-thirds of the members have no direct institutional affiliation. The recommendations of the Legislative Program Review and Investigations Committee have been carefully weighed, debated at length and voted on one by one. We believe these recommendations offer a sound reorganization approach, one that will have the overall effect of making the Central Board accountable to the Governor and the General Assembly of assuring that institutional missions and mandates are fulfilled and of assuring that the higher education needs of Connecticut citizens are being efficiently and effectively served. We urge your careful consideration and support of these recommendations and we thank you for this opportunity to appear before you today. ("See Attached Statement").

1 GOVERNMENT ADMINISTRATION AND POLICY April 12, 1977
Ngm 7:00 p.m.

PRESIDING CHAIRMEN: Senator Baker, Representative Hendel

COMMITTEE MEMBERS PRESENT:

SENATORS: Beck, Baker

REPRESENTATIVES: Hendel, McCluskey, Sayre, Osler, Walkovich, Wojtas, Joh st

SB 357

SENATOR BAKER: Ladies and gentlemen can we take our seats, I would like to
Belt #1 open the Public Hearing. This is a Public Hearing, held by the Government Administration & Policy Committee, for the purpose of hearing testimony relating thethe Executive Reorganization Act of 1977. In conformance with Policy, we will hear from Legislators first, followed by State Agencies and then from the public. The first speaker we would like to hear from is Representative John Tiffany, followed by Mr. Lavine, Representative Lavine of the 100th District. Representative Tiffany?

REPRESENTATIVE TIFFANY: Good evening, I'm Jack Tiffany from the 36th District, can we have quiet, please? As a general rule, I do not testify at public hearings, however, I make an exception tonight for two reasons; one, this is probably the most controversial area before the Legislature this Session, and Two, I feel that I am in a unique position to speak with some authority in this area. I make that statement as the only farmer elected to the General Assembly. I feel that I do have some knowledge in the two areas involved in this particular section of the Bill that I am interested in. Namely, government and agriculture. I have been involved in local and state government for about 20 years. I have served my town as Selectman, on the Board of Education, as Chairman of the School Board for a dozen or so years, various other Boards and Commissions, and I am presently serving my eighth term in the General Assembly. As far as agriculture is concerned, I have been involved in it all my life. I graduated from the University of Connecticut in 1934, with a Bachelor of Science Degree in Dairy Production.

My diploma reads with highest honors and distinction; a couple of weeks ago at the annual meeting of the Dairy Herd Improvement Association, I was awarded a Certificate stating that my last year's production on 81 head was 17,695 pounds of milk and 661 pounds of butterfat, which places my herd fourth in the State in milk production, and third in the State for fat production. There are 238 herds on test in the Dairy Herd Improvement Association in Connecticut. Many of these facts not divulged, although I am proud of this record of achievement, but lend credence to the statement that I made earlier that I probably was speaking with some authority in this area.

I want to urge you with all the forcefulness that I can not to merge the Department of Agriculture with the Department of Environmental Protection. In all candor, there was some support in the farm community

REPRESENTATIVE TIFFANY (CONTINUED): for including Agriculture in DEP, back in 1970, when DEP was first created. But, I believe those of us who opposed placing Agriculture and DEP back in the '70's, have been vindicated and it is safe to say that the vast majority of those people in our culture who favored the original rule are now as violently opposed to the present merger as I am.

Let me give you just a couple of reasons why I am strongly in favor of maintaining a separate Department of Agriculture; as I am sure you will hear many reasons enumerated here this evening. First and foremost, I feel that agriculture is not just an occupation or a business, but a way of life. This is indeed a unique way of life and one that is deeply cherished by those in agriculture. It is critically important, I feel, that the Commissioner of Agriculture be aware and be sympathetic of these conditions. The agricultural community wants and deserves a Commissioner who has toiled with the soil. Secondly, agriculture is, I feel, one of the most highly regulated areas of private enterprise in this state. Parenthetically, I would add that most of us in the business feel that we are over-regulated and licensed. Nonetheless, farmers feel it is terribly important that they have a Commissioner who is well versed in the regulation of agriculture, and one who will work to see that both the consumer and the farmer are treated fairly. Let me digress just a moment to say that I hope, too, that you will not sell agriculture short, the importance of agriculture short, for if it was not for the productivity of farmers here in this room today, you ladies and gentlemen would be toiling the soil yourselves to feed your families, that is, it is extremely important.

The third reason is that, in my opinion, the combination of a growing world population and the diminishing agricultural community will lead to a food shortage in this nation and indeed throughout the world, it will in just a few short years make the energy crisis look like a Sunday School Picnic. It is, therefore, vitally important that we in the Northeast maintain the remainder of our agriculture in a viable state. This will, I believe require the full-time and active & aggressive support to be coordinated with a concerned commissioner. Two specific areas that I would like to make some critical remarks about concerning the raised Committee Bill are the abandonment of citizen participation in the Department, by the elimination of the Board of Agriculture and Equine Advisory Council. The Board of Agriculture has a long and distinctive history of service to the agricultural community in the state of Connecticut. Through the years, the governors have appointed outstanding agricultural leaders to the Board, and I feel its record has been a distinctive one. The Equine Advisory Council, on the other hand, has only been in existence a few years, however, its activities have been numerous and it has established itself as a very active organization in the horse world here on the east coast. Perhaps the Committee is not aware of the fact that there are more horses per square

REPRESENTATIVE TIFFANY (CONTINUED): mile in the state of Connecticut than there are in any other state in the United States. I have participated in several seminars, jointly sponsored by various horse organizations and the Equine Council and found them to be of great interest. The Board of Agriculture and the Equine Council involved extremely modest amounts of state funds; for the life of me, I can't understand why you are abolishing them.

As a Legislator, I would be the first to support moves for creating greater economy in government and/or greater accountability in service to the general public. However, it has been my experience in the years that I have been in the General Assembly that the bigger the department, the greater the amount of red tape, buck passing and indecision. In our two so called super agencies, DEP and DOT are prime examples of this, I believe. Incidentally, I found this to be true regardless of the political power - political party in power.

In closing, I would like to call your attention to the political ramifications of such a move. Although the opposite political party, Joe Gill, was in my opinion one of the best Commissioners of Agriculture that the State of Connecticut has had in the last half of this centry. Joe served with distinction as Commissioner for 16 years, yet when he was appointed Commissioner of DEP, it took only two years for the avid environmentalists to force him to resign. The political realities of life is such that regardless of the party in power, strong environmentalists will control the Department.

I can assure you that the agricultural community would have been no happier with Doug "Costal" as Commissioner of Agriculture than the Environmentalists were with Joe Gill as Commissioner of DEP. My first priority, and I think I'm speaking for the vast majority of agriculture community, is to maintain a separate and strong Department of Agriculture. If, indeed, you must do anything with the Department of Agriculture, I would support a move to strengthen the Department; by this, I mean I would support as a second priority the re-establishment of a Department of Agriculture and Natural Resources. I believe there is some merit to this suggestion, and I would refer you to the Auditors' Reports which suggested that the Natural Resources Section of DEP has continually been short changed. I do not say this in any way being critical to the prior commissioners, it is just a political fact of life that the major thrust of DEP has been, and will continue to be clear air, clean water syndrome. Again, I urge you to maintain a strong Department of Agriculture. Thank you.

SENATOR BAKER: Thank you very much, Representative Tiffany. The next speaker will be Representative Levine, from the 100th District. I would ask that you try to restrain yourselves from applause. Before Representative Levine speaks, I would like to introduce myself, I am State Senator Wayne Baker, my co-Chairman is Representative Hendel, to her left is Representative Clyde Sayre, to my right is State Senator Audrey Beck, to her right is Representative Dorothy Osler, to

SENATOR BAKER (CONTINUED): her right Representative Joyce Wojtas, and to her right, Representative Joe Walkovich. Representative Lavine?

REPRESENTATIVE LAVINE: Members of the Committee, Chairman, I come here tonight a different side of the aisle from Representative Tiffany, and even a somewhat different approach towards the concerns of agriculture in the environment. In my previous term here, I have been closely connected with environmental legislation and during the interim period when I was not in the General Assembly, I served in many functions and capacities, and all of them related to the environment and environmental concerns. I, however, would endorse most of the remarks made by Representative Tiffany this evening, and for somewhat additional reasons than the Representative has offered to you tonight. The Department of Environmental Protection has been in existence for a little over five years, and during that period of time, it has had four Commissioners. It has had differing philosophies, it has had teething problems, it has had retrenchment and re-retrenchment problems, and it is trying to grapple with the attempts to give us a clean and productive environment, and to give us the enjoyment of resources that we have within our forests and streams and beaches; but it hasn't come to a total fruition of these particular goals.

Now, the Committee today is proposing to put the Department of Agriculture, either by name or substance, within the Department of Environmental Protection, and I would suggest to you that it does no favor to the Department of Agriculture and it does even less favor to the Department of Environmental Protection. There might have been so merit to doing this initially, the onset where the Department was being formed; however, today with a recognition that there is a renewed need for agricultural production in Connecticut, and indeed within the Northeast, I think there is a clear reason to have the strong, vigorous ongoing Department of Agriculture. I would say there is no time within the past 20 years when we have seen delineated as clearly before us the need for food production potential in our State, so I would suggest to you that first the Department of Environmental Protection really cannot absorb the Department of Agriculture into it and still carry forth its purposes; and secondly, the Department of Agriculture needs to be highlighted, needs to be recognized, needs to be strengthened and needs to be individualized, it does not need to be merged or submerged within the Department of Environmental Protection.

Now, secondly, I would like to talk to you about the Agriculture Experiment Station which is also under this proposal to be merged in the Department of Environmental Protection. This is an organization which is pre-eminent in the State of Connecticut. The research which goes on within those walls down in New Haven, have a National and International reputation. It is primarily a research organization, unfettered by administrative bureaucracy. I think that you would have to really search your Legislative prerogatives

REPRESENTATIVE LAVINE (CONTINUED): and direction, and ask yourself what
Belt #2 is to be improved in the Agriculture Experiment Station by putting it into the Department of Environmental Protection. What is to be gained, and if you cannot demonstrate to yourself overwhelmingly that you are going to gain something within this unique Agriculture Experiment Station, don't put it there. This organization has proven itself and continues to prove itself annually, we continue to get our money's worth, and more than our money's worth from this organization, so I would urge you unless you have some reasons which have not been brought forth to date, to reconsider and to let this entity exist and flourish as it has for our State in the past, thank you.

SENATOR BAKER: Thank you, Representative Lavine. Our next speaker will be from the State Agencies, Mr. Paul Haas, followed by Nelson Douglas. Mr. Paul Haas? Lost in the crowd. Nelson Douglas? George Wilbur.

MR. WILBUR: Mr. Chairman, Members of the Committee, I am George Wilbur, The Commissioner of the Connecticut Department of Agriculture, and as Commissioner, I strongly ask this Committee to leave the Department of Agriculture as it is today, under Section 22-6 of the Connecticut General Statutes entitled the Powers & Duties of The Commissioner of Agriculture, and it includes, of course, that the Commissioner shall act as the administrative head. But one of the most important things in this Section is that the Commissioner shall encourage and promote the development of agriculture within the state. How can agriculture be promoted and developed if there is not a separate Department of Agriculture or if we are absorbed into an Agency that regulates many phases of agriculture. For example, the nonpoint source pollution, pesticide regulation and air complaince.

There are only a few of the many areas of conflict. I would like to quote to you from a recent speech of U. S. Secretary of Agriculture Bob "Vertland" delivered before the House Agriculture Committee. I told your colleagues on the Senate side yesterday and I will repeat it today because I believe it very strongly that over the past five or six years all of us, Legislators, farmers, consumers, both here and abroad, have had a crash course in agriculture from the most effective institution of all, the school of hard knocks. Consumers got the first lesson in 1973, and '74, when a series of world wide events which you are familiar, produced an unprecedent foreign demand for U.S. farm products. Consumers faced with rising food prices and shortages, real or apparent, discovered that milk, meat comes from cows and bread from wheat, not the supermarket. They learned that the source of food was not the warehouse, but somewhere beyond it, out in the country, on the farm to be exact, and they learned that farm production can't be turned off and on as factory assembly lines. They learned that when this year's stock is gone, you wait until next year's crops for new supplies and, if you want beef, you wait even longer. The situation produces

MR. WILBUR (CONTINUED): a lesson for bureaucracy - bureaucrats. They prove to be slow learners, I am afraid, as beef control prices, soy bean embargos of '73, and supplement with exports in '74, and again in '75 taught that you can't cope with broad problems in food and agriculture on an ad hoc crisis-to-crisis basis.

Agriculture needs encouragement, and assistance, rather than an annual battle for survival. Let us, the agriculture community and the friends of agriculture encourage agriculture in this State now, and in the future. Thank you.

SENATOR BAKER: Thank you, Commissioner Wilbur. For a change of pace, we will hear from Captain William Ellert, Department of State Police, followed by Lt. John Mulligan.

CAPTAIN ELLERT: Thank you, Mr.Chairman, good evening ladies and gentlemen, my name is William Ellert, I'm a Captain of State Police, I'm also the Deputy State Fire Marshal for the State of Connecticut and I'm also the Commanding officer of the Bureau of State Fire Marshal. I'm here this evening representing Commissioner Leonard, who is under apology to you, giving a speech at this very moment in Hamden.

I am here tonight to speak to Senate Bill 357 AN ACT CONCERNING THE EXECUTIVE REORGANIZATION OF ACT OF 1977 and LCO 7437, concerning the reorganization of state government. I am most concerned with the Sections of these documents and the Filer Report which divorces the Bureau of State Fire Marshal from the State Police Department.

You will have before a position paper prepared by me for your inspection which lists the functions and duties of the Bureau of State Fire Marshal. It is long, five pages long, I don't believe you care for me to read it at this time, it will be presented to you, if you desire, I will read it. As you will see, the duties are many, complex and varied. I will not attempt to read this document into the record, but will summarize it and you may read it at your leisure.

The State Police Department has had the responsibilities of the Bureau of State Fire Marshal's office sine 1905, when the Commissioner of State Police was first appointed State Fire Marshal. Since that time, we have come a long way towards providing protection for our citizens from fire, panic, smoke, explosion and unsafe recreational equipment.

The first Fire Safety Code which dealt with fire exits dates back prior to 1949, when our first Fire Safety Code was adopted. Since that time, there have been many revisions to the Code, all based on national standards. The State of Connecticut is a leader in the Fire Safety Field, and many states have patterned their Fire Safety Code after ours.

We currently have assigned to our office Troopers who, prior to their employment, had both fire suppression and construction backgrounds. These men have a total of 121 years of experience within the Bureau of State Fire

CAPTAIN ELLERT (CONTINUED): Marshal and as the logistics for implementation is not clear, and if they and we have any choice, they, I would assume, would not elect a transfer to another Agency, as they are career troopers and could stand to lose many benefits. It would be a waste to talent and dedication and a great disservice to the citizens of this State and would effect their safety.

In closing, we in the Bureau feel that the duties of the State Fire Marshal should remain within the State Police Department, simply because of the marriage of fire and police functions when dealing with the enforcement problems inherent in the enforcement of the many and varied duties of this office. I would also like to state in closing that Chairman "Glendon Mayo" of the Connecticut Fire Safety Code Standards Committee asked me to also state that he would present a position paper concerning this very subject. Thank you.

SENATOR BAKER: Thank you, Captain Ellert. Lt. John Mulligan? Followed by Lt. Lester Forest.

LT. MULLIGAN: Ladies and gentlemen of the Committee, Mr. Chairman, I'm State Police Lt. John Mulligan. I've been a member of the Department since 1965, and I am in opposition to the proposal which would allow direction of the Connecticut State Police in times of emergency by another agency.

For the past four years, I've served as commanding officer of the Emergency Services Division, which includes the SCUBA Squad, Bomb Squad, Air Wing, Canine Unit, and Marine Patrol. The Division maintains and deploys the Department's Emergency equipment; for example, generators, communications equipment, boats, etc. The State Police, in general, and Emergency Services in particular respond to emergency situations on a day-to-day basis. For example, Highway Patrols respond to accident scenes routinely. In fact accident scenes are perhaps the most frequent State Police challenge in crisis management. Emergency Services Responds to reports of hazardous devices throughout the State, and frequently conduct searches for missing persons. SUBA Team logs many hours in recovery operations. Most recently, the downed pilot in Old Wethersfield Cove. Our Helicopter Medivac Unit recently flew a badly burned Bristol boy to Boston, and so on.

These are brief examples of our daily experience in crisis management. Statewide emergencies call for applying the same principles of crisis management, except on a larger scale. For example, evacuation in the Watertown flood of 1955, the icestorm in 1973, hurricane and tornado alerts just last year. Training, discipline and experience is crucial to emergency response. Unexperienced persons confronted with emergency situations, tend to exaggerate conditions, over react and waste time and efforts because they don't know exactly what to do. They don't have a full appreciation of what can be done routinely and what would involve extraordinary effort. Local knowledge is as important as

LT. MULLIGAN (CONTINUED): experience in an emergency situation. Effectively mobilizing the State Police Department requires an intimate familiarity with the inner workings of the Department itself. Beyond that, the Department has routine statewide communications in every town. For these reasons, the State Police are in the best possible position to mobilize themselves and/or other agencies throughout the State in emergencies. Many emergency situations have overriding law enforcement consideration.

Those that involve crowd controls, such as riots that followed the Martin Luther King assassination, May Day at the New Haven Green in 1970, the Electric Boat strike in Groton, and the recent Corrections Department strike. Others involve criminal aspects, such as the Shelton Sponge Rubber bombing in 1975, and most recently the hostage situation in Washington, D.C. All these considerations dictate that the State Police Commissioner maintain full authority and control in any mobilization or emergency. With the exception of the first two, all State Police Commissioners have been career officers who rose through the ranks. They were professionals by training and experience. As a career professional, the Commissioner of State Police is best qualified to bear the responsibilities to protect life and property of the Connecticut citizen, as well as to enforce the State's laws. Because the State Police Mission is to protect life and property, and the State admission of the proposed public safety Superagency is to protect life and property, it would be logical for any such agency to be placed under the direction and control of the Commissioner of State Police. In contrast, the logics of placing such a superagency under the direction and control of any other state commissioner is elusive, at best. Because of time consideration, my remarks are only intended to highlight our opposition to mobilizing State Police under another Department's direction and control.

I thank you very much for hearing my statements.

SENATOR BAKER: Thank you, Lieutenant. Lt. Forest?

LT. FOREST: Mr. Chairman, members of the Committee, I'm Lester Forest, Lieutenant in the Connecticut State Police, I am presently commanding officer

SENATOR BAKER: Can you get closer to the microphone? We're having trouble hearing you.

LT. FOREST: I'm Lester Forest, Lieutenant in the Connecticut State Police. I'm presently the Commanding Officer of Statewide Organized Crimes Investigative Task Force, commonly called SOCIT. I'm here to state in opposition of Section 32, of LCO 7437, Senate Bill 357. This is Line 731, on Page 21; The Advisory Committee on Organized Crime Prevention and Control. was organized five years ago, the Advisory Committee was established, which was basically the same as the one now proposed.

LT. FOREST: (CONTINUED) the ability of the judiciary which in essence disbanned
Belt #3 the present Advisory Committee. This was voted on by that Committee and it was their recommendation that there was no further need for the Committee. It was the recommendation of that Committee that SOCIT become a division of State Police, directly responsible to the Commissioner of the State Police. They felt that this would be the most efficient and effective organization. SOCIT was originally formed five years ago, was funded by Federal Grants, which are running out as of June, 1977, this year. Funding will now be allocated through the State Police Budget, controlled by the Commissioner of the State Police. Over 90% of the taskforce personnel both sworn and civilian, will be State employees. We still hope that local police will still participate. The presently recommended Advisory Committee would be attached to an organization that is separate from the State Police. Although the Committee's recommendations would have a direct effect on State Police operations and communications would be a great problem. It could prove cumbersome and red tape could cut deeply into the effectiveness of SOCIT.

The decision making process of SOCIT could be impeded at a very critical point. SOCIT is trying to move forward, to become a more effective in serving the people of Connecticut, and we feel that this proposed Bill would be a step backward for the organization.

SENATOR BAKER: Thank you very much, Lieutenant. The next speaker will be General Freund, from the Connecticut National Guard.

GEN. FREUND: Mr. Chairman, Honored members of the Committee, I'm General Freund, Adjutant General, State of Connecticut. I should like to address my remarks this evening to the Act Creating a Department of Public Safety. In view of the fact that Section 16 of this Act states that the Military Department shall be within the Department of Public Safety for administrative purposes only, and that the State Police are not included within the Department of Public Safety, I believe it is unrealistic to say that the Commissioner of Public Safety "Shall have the responsibility for providing a coordinated, integrated program for the protection of Life and Property. I also question the purpose of a municipal police training counsel within the Department of Public Safety, if it is included "for administrative purposes only." Secondly, if it does have a functional purpose, why should the Commissioner of State Police and the FBI special agent in charge in Connecticut be included in this council as ex officio members only.

I have personal knowledge of only two states in the Union with an organization for public safety, I am sure there are others. Both incorporate the Military Department and the State Police and the Office of Civil Preparedness. It is my strong view that if the Department of Public Safety is to be formed in Connecticut, that it should, as a minimum, include these three organizations. Placing the Military Department in a grouping as indicated in this bill, raises the very real question of what is to be gained by such a reorganization,

GEN. FREUND (CONTINUED): particularly when we are to be assigned for administrative purposes only. Will it result in the consolidation of any activities of the Military Department? Or saving of any personnel spaces, realistically it will not. Our activities are quite dissimilar to those of any other state agency. If anything, it would imply more spaces for personnel at the Commissioner of Public Safety level to monitor and coordinate our diverse operations.

Secondly, it would appear that this plan was developed by personnel with less than a complete understanding of our military department. Was it, for example, understood an important element of the military department is the Air National Guard? We in the Military Department have frequent contact with the Department of Transportation, particularly with matters relating to Bradley Field. We rarely, if ever, have any state business with the Department of Motor Vehicles. Thirdly, will such reorganization promote greater efficiency in the operation of the military department?

Again, realistically, it will not. Our Department is very small when compared with other State Departments. We have a budget, including civil preparedness, of a little over $2,000,000 per year. And the problems of adding our completely unrelated administration to those of a very dissimiliar agency will involve greater costs than any possible savings. I should like to draw the attention of the Committee to the fact that this meeting this evening was brought to my attention only as late as 3:00 this afternoon. I should like to request the indulgence of the Committee to permit me and my staff to organize a more formal reply. Thank you very much.

SENATOR BAKER: Thank you very much, General Freund. James Duffy from the Connecticut State Employees Association. I beg your pardon? Fine, sure.

MR. MAROTTA: Mr. Chairman, Madam Chairman, Members of the Committee on Government Administration & Policy, my name is Al Marotta, President, Connecticut State Employee's Association. I'm here this evening to oppose parts of Senate Bill 357, AN ACT CONCERNING THE EXECUTIVE REORGANIZATION, ACT OF 1977.

First of all, I would like to say that we have just concluded a real trying time of negotiations in good faith in collective bargaining. In parts of the Bill, Section 2, which would reorganize a new Commissioner and Department of Administrative Services, would do a few things that we think are unreal in this day and age. First of all, it would establish Personnel Department under a Deputy. One step further removed from the office of the Governor. The past few weeks, we had confrontations and negotiations constantly the Personnel Commissioner was on immediate contact with the Governor's office to try to implement such actions that were required. Putting this Department of Personnel one step further removed down away from the Governor will create serious problems. Also, combining the Administrative Services Office with human beings, the merit system, and personnel, together with public works, which deals

MR. MAROTTA (Continued); in property, leasing and items which are not human and not living also combining in this Department a further Deputy for the purchasing supplies, furniture and equipment, further Section E, publishing printing and purchasing of public documents, control and detect direction of electronic equipment, data processing and collections of sums of money due the state from public assistance. We think that problems created here are just unreal in this day and age, where we find "sitted" in the recent edition of "Fortune" Magazine that it said that since we - the article states that it pays to put top flight executives in charge of human resources.

If the business sector has realized this and come to the conclusion that human services needs should be in the Department and calibre of their own to include these seems to be irrational for the State of Connecticut to change its approach to Personnel Department at this time. The merit system for years has not submitted to the political spoils and the political abuses, and we think that by combining this Department under a larger agency, which includes Public Works, Purchasing, Central Collections, will undermine the merit system in the State of Connecticut further. We have problems today, in examinations, in the merit system appointments and promotion, and just to put this Department under a larger Department that, right now, it is not functioning properly and to create other avenues of items nonrelated with human beings, personnel, we think is just unreal, so we oppose that section, and urge that the Committee would adopt a separate Commissionership for the Department of Personnel to handle the Office of Collective Bargaining, and also the merit system and the personal problems of the employees in the State of Connecticut. Now, we did not receive a copy of the Bill until late this afternoon, we would like to have further input to the Committee in other areas that we feel are critical, that we have not had time to prepare any input on, and we would like to do so if it is okay with the Committee, but I would like to leave a written presentation on the remarks I made on the upper portion,

SENATOR BAKER: Please do so, Mr. Marotta have a chance to present it. James Wade?

MR. WADE: Mr. Chairman, Madam Chairman, Members of the Committee, my name is James Wade, I am a member of the Filer Committee, and I suppose to some extent, I can take some blame for having us all here tonight. We labored for a year on this project, and I want to open by extending my congratulations to you, I think your job is well done, when we dealt with the reorganization of state government, we were able to deal with it largely on a theoretical sense, on a political science sense, we don't have the ccountability you have, we were able to come up with an idea that four people spent a fair amount of time mulling over and became what was known as the report of the committee on the structure of State Government.

MR. WADE (CONTINUED): Our report certainly is no tapestry, it is not going to hang in the Louvre anywhere. There is nothing magic about it, but I must say that I think you pretty well followed our outline. You differed with us in certain respects, but overall, I frankly, for one, am pleased with the, with the overall picture that you produced, because I think it does match with the theory that we had, with the overall concept that we were trying to produce in our recommendations for aligning State Government in a new form. You, Members of the Committee, and I may be the only ones in this room who view the Statute of the Bill that you've drawn in an overall prospective, because I do not speak from a particular interest point of view, I the governmental organization as you had to do, and as you did do in this, in this Bill, and therefore, I think it would be presumptuous of me to try to attack little bits and pieces of it, because I fundamentally think you're on the right track. If you attain the reorganization of the central part of the Executive Branch, the Office of Policy & Management Administrative Services, it will be a signal achievement in the history of Connecticut State Government.

Belt #4 The very fact that we are here, that we got this far, that you produced this Bill alone is an historic accomplishment. The Government has been studied and restudied and reports have come out and been handed to Legislatures over the years, and none have ever gotten this far, and for that alone, you are to be commended. My hope is that you'll plunge on, and keep going forward with, with where you're going. You did some sort of deep things, I think, that we didn't think about, frankly, and that's good, because you were not slavish to our plan, particularly, there is some innovative stuff in here, I for one, for example, like the concept of moving the Department of Probation into the Judicial Department, I think that was a good idea, we, it was sort of beyond our charge and something we didn't think we could handle. You put the entire Personnel function into Administrative Services. That's, in hindsight, it is probably a good idea.

We, we sort of split it up into a couple of functions, and your suggestion is probably sound, as, as to the way to do it. There appear to be some technical problems that I'd be glad to assist in any way, I could in overcoming some of them, I've tried to give it a fairly careful reading, and pick out some of them, and there are a lot of knit picking in there that I won't bore you with right now. One major one that I would call your attention to, I do seem to notice an absence of Legislative approval of all these Commissioners, that you're creating, and I don't know whether I scared you off last week when I talked about appointing the Department of, of Higher Education as raising a Constitutional Problem, but I don't see anything in here that says the Legislature is going to have, give its advice and consent when you appoint these people. So,

SENATOR BAKER: (INAUDIBLE)

MR. WADE: I, I think, I think you ought to take another look at that. I said our plan wasn't a tapestry, but when you do pull out a couple of threads, a few other things happen; for example, our recommendation

MR. WADE (CONTINUED): was that we include within the Department of Social Services a number of Agencies that you've taken out. Aging, Mental Retardation, Children Youth Services. That leaves the Department of Social Services pretty bare, and we conceived it. However, we did recommend that the Department of Income Maintenance be split off from the Social Service Function. Now, that was a response, frankly, to the several hearings we had throughout the State. We began to get a sense of a clear mental distinction between, among those who are receiving Social Services between those who have received services because of particular physical or mental problems we might have, and those who are receiving income maintenance plans, such as Welfare Payments, food stamps, Medicadd and what have you, and we think there is quick - we think there is such a mental distinction there, that the splitting off of income maintenance to a separate department simply is dealing with providing sufficient cash to people to live on, is a worthy consideration for your re-review. I'll admit that when you take the other sections out of Social Services, it leaves it as a pretty bare Department, and so that may be a reason why, why you did that.

When we dealt with the entity that we called the Executive Office of the Government, although it is included in a box in a diagram, the concept was not that it was to be a Department per se and the reason is that we thought the entities that we put in there, such as the Commission on Human Rights was a particularly autonomous body which as part of its function, oversees the other branches of State Government, and we became convinced by the arguments that were presented to us that since it is a watchdog agency over other agencies within the Government, that it ought not to be answerable to anybody other than the Governor himself or herself, as the case may be. Now, admittedly, you put Human Rights & Services - Human Rights & Opportunities within the Administrative Services Department "for administrative purposes only" and then the term is, is defined within the Bill, I'm still of a mind that with, with an entity like that, it probably ought to be totally autonomous, and that would follow for almost any agency whose function is to look at what other parts of the Government are doing to make sure they're doing their job correctly. The Consumer Protection Agency, for example, there is within that the Consumer Protection Advisory Council, they have to look at what the Consumer Protection Department itself is doing, so query whether or not it ought to be within the Agency which it has to look at, to make sure it is doing its job correctly.

And, finally, you come to Agriculture, what, what are you going to do with that? Well, we had four hearings throughout the State, and one of our staff people, Tom Cosgrove, who's here in the room tonight, was Commissioner Wilbur's guest at 6 o'clock in the morning milking project, which I don't think any of you have been asked to participate in yet. We, we fussed and fumed and fiddled with Agriculture as to where it should go. One place we never thought of putting it was in the Department of Environmental Protection, that never even crossed our minds, as being the place it ought to go, and so I think I would have

MR. WADE (CONTINUED): to join issue with you on that score. Now, the reason I'm concerned about that is twofold. I congratulate you for getting this far, I don't want to see the thing scuttled because of a problem such as that, and if that's a concern, then that would be a concern to the entire Bill.

So even if, even if the omnibus bill is not scuttled as a result of that type of, of pressure, another concern is if it does get amended out at some point on the Floor of either House, my experience up here has been that amendments on the floor in the heat of the Legislative Session generally do not produce the stellar legislation of the session, and so agriculture, obviously, is a difficult problem. You're going to hear from people who are far more expert than I, obviously, as to the unique character of that Department, but I am concerned with what it may have on a total impact of the Bill. We viewed Agriculture as a business, frankly, that's why we put it where we did, and split off the functions that we did, because it is,obviously a major source of livelihood, not only for the farmers themselves, but from those people who, who themselves make money off agricultural products.

My problem is the major dissent that we received from the people in our hearings throughout the State was in the area of Environmental Protection, and that the problems that are inherent in that Department may have an overlap effect within the Agricultural Section, so I simply add that word of caution, as you go from here. Thank you.

SENATOR BAKER: Yes, there are a couple of questions here for you, be sure to wait.

REPRESENTATIVE HENDEL: Mr. Wade, I don't want to take too long, because there are so many people who want to speak. There are two quick questions. Why, were you saying with reference to the Consumer Advisory Council, and the Human Rights Commission that they ought to be separate and autonomous as opposed to being within the Departments that we've proposed?

MR. WADE: Right. Don't be slavish to the boxes, if the concept of the Office of the, of the Executive Office of Government exists, those entities that are within it exist all by themselves, as they currently do, answerable directly to the Governor, and if they are, indeed, watchdogs within the overall Government, that's probably where they ought to be. If Human Rights, for example, serves in a quasi judicial capacity in which complaints are being made against State Government, in which you say, in which someone says hay, I, my rights were impinged upon because some Agency of State Government took advantage of me, he's going to go before that Human Rights Commission for a resolution of his problem, and I'm not sure that if, for example, the Commissioner of Administrative Services is complained against, since he now has the Personnel Function within his, within his grasp, worry whether or not Human Rights ought to be within the Administrative Services even for administrative purposes.

REPRESENTATIVE HENDEL: Okay, one other question. Are, are you standing by your earlier position, that Agriculture ought to be with economic development?

MR. WADE: Certainly, I, I am, because that's our, that's the Filer Committee recommendation, that is a, a position that we spent agonized over for a long time, and we continue with that position, we're not changing horses at this point, but, I would say that the last place I'd put it is Environmental Protection.

SENATOR BAKER: You think it belongs with Economic Development? Marcella Fahey? Followed by Arthur Green. Marcella Fahey?

MS. FAHEY: I am speaking in behalf of Representative Margaret Morton, of the 129th District, Bridgeport.

SENATOR BAKER: Would you state your name?

MS. FAHEY: Marcella Fahey. Representative Morton is the House Co-Chairperson of the Human Rights Committee. Representative Morton wants to go on record as being vehemently opposed to this Bill as it effects the Commission on Human Rights & Opportunities. The Democratic Party is supposed to be a party of the people. It does a great job affording us during the election campaign. But after the election, does not fulfill any of those promises. Connecticut has some very good laws on books, but the enforcement is nil. The State passes out goodies with one hand, and then pulls the rug out with the other. If the Commission on Human Rights & Opportunities is set up so as to help the Governor appoint the Chairman and Executive Director, it will no longer be a Commission to serve the needs of the poor, the minorities, disabled, women and the disadvantaged, but will be a Commission designed to appease the Governor, whoever that might be.

REPRESENTATIVE HENDEL: Thank you. Arthur Green? Followed by Anthony Keller.

MR. GREEN: Thank you very much for the opportunity to share with you some of the Commission's observations on, on two Bills before you. The first I would like to address my attention to the ACT CREATING A DEPARTMENT ON ADMINISTRATIVE SERVICES and the second, AN ACT

REPRESENTATIVE HENDEL: Excuse me, Mr. Green, would you go closer to the machine, because it is not recording.

MR. GREEN: Should I start over?

REPRESENTATIVE HENDEL: Is that all right now? Yes, please start over.

MR. GREEN: My name is Arthur Green, I'm the Director of the Commission on Human Rights & Opportunities. I've been authorized by the Commission and empowered to consistently oppose any attempt to weaken our responsibilities and tonight I would like to address myself to two bills, two proposals at least, first AN ACT CREATING A DEPARTMENT OF ADMINISTRATIVE SERVICES

MR. GREEN (CONTINUED): and the second AN ACT CONCERNING THE REORGANIZATION OF THE EXECUTIVE BRANCH OF GOVERNMENT. Just before we entered into this current phase of affirmative action and the Bill of Civil Rights, the Commission had long been involved in this area, in 1943, the Connecticut General Assembly created the first State Agency in the Country empowered to enforce laws against discrimination, and if you read the legislative history of, of that enabling legislation passed in '43, you will see that it was the intent of this General Assembly to be sure that the Connecticut Interracial Commission, as it was called then, carried out its responsibilities independently and in the area of law enforcement. So, it was clearly the intent of the, of your predecessors to, to establish an Agency of Government empowered to enforce the laws against discrimination. Our, our perception of what we are is that we are the State's, and it is your intent, while you are very acts every year is your intent to make us the chief law enforcement agency of the state in the area of civil rights.

Now, that's a very important notion, I want you to keep that in mind, because as you look at the two proposals before you that I mentioned, you will see that certain things that are proposed here will certainly weaken that position of an objective independent law enforcement agency, if not altogether eliminate it.

Let me turn, then to the first Bill. Section 78, of the ACT CREATING A DEPARTMENT OF ADMINISTRATIVE SERVICES. Section 78, Subsections A & B, now throughout this Bill, there is constant reference to at the end of each new Department or old Department created that such Departments will be within the Department of Administrative Services for Administrative purposes only, not (INAUDIBLE)

Belt #5 Well, you're not consistent there, you have in some lines for example, within the Department for Human Rights & Opportunities, you have within the Department of Administrative Services only, and for, on Page 8, for example, Section 20, Line E, concerning the State Commission on "capital" preservation, you have within the Department of Administrative Services, as an independent agency, in other words, you have the word independent in some of those sections, and not in others. My point is that there is a need for consistency in law. There is a need for continuity, you cannot, with respect to certain agencies have them within the Administrative Services for purposes only, and have them independent and not others.

That's, I think, perhaps an omission, perhaps a technical problem, but it's an important technical problem, you see, because some agencies you Legislatively mandate, they shall be independent, and others without any logical connection, you imply by omission that they're not independent. That's a serious deficiency in this particular Bill and would cause trouble later on. The second problem with this bill is that for the Commission on Human Rights & Opportunities as Attorney Wade just indicated, our responsibilities as a civilized law enforcement agency's impact on every State Agency in the Executive Branch, not to mention

MR. GREEN (CONTINUED): every employer in the State of Connecticut, whether private or public. As you understand the nature of Administrative Services, whatever that means, then you don't spell it out in the Bill, which is another problem, you failed to spell out what that means, that could be, that could be controlled, that could be controlled, as the Commission on Human Rights & Opportunities should not be in the position of being influenced, controlled in any kind of political way. They're not saying we should not be accountable, I said we should not be controlled, and we urge you to exclude the Commission from the provisions of that particular act, for reasons given.

Let me turn to the next Bill, which is the most serious matter, the next Bill, the Bill that would reorganize State Government. I have been, I have been in my capacity as Director of the Connecticut Commission, which has been for 11 years now, I have been privileged to serve at the request of other governors of other states, of mayors, to examine their own state agency on civil or human rights; particularly to examine them in respect to reorganization acts of the same sort, because across this country, as you know, I'm sure your research has told you other governments are attempting to reorganize for efficiency purposes, economy and effectiveness and those are very laudable goals to be sure, but as other mayors and governors have found, and even presidents, that efficiency, economy and "effectiveness" does not flow automatically from simply reorganizing agencies throughout. Efficiency, economy, and effectiveness flows from the caliber of personnel that's hired to, to manage our agencies. So, efficiency is not a function of reorganization, it's a function of the people involved and that's to be true whether you're reorganizing or not.

But, apart from that, let me turn to Section 11, Section 11 of this Act, that's the most serious portion of the Bill for the Commission. Section 11-A, C and D. Section 11-A, Members of the Committee, sets the stage for a most serious internal conflict within the Commission, and any other Commission, by the way, if you pass that language, because it says the Governor shall appoint the Chairperson as the Executive Director of Commissions and Boards, and there are approximately 11 such Boards and Commissions having executive directors in the state system. It has been my experience where, around the country, where this has happened, that is where the governors have appointed both the executive and the chair, that there is a conflict because the, the governor, because the chairperson feels that he or she has the authority, by virtue of appointment by the governor, to act and but so does the director. You know, follow that, the director also could argue logically if the governor appoints the director also, then director is responsible to the governor, not to the Commission. The present system under law in Connecticut is that I am responsible to 12 members, 12 persons called commissioners appointed by the Governor, not to the Governor, and that I think eliminates the conflict or the potential conflict, I see, in having the two leadership positions accountable to another person, because both parties will argue, and this happened around the country, I can cite to you those states where that is going on. That kind of

MR. GREEN (CONTINUED): conflict. Both parties will argue that I am accountable to the Governor, the Commissioner and Director will say certainly, and not to the Commissioner. That's a horrible situation. And you're setting the states for, I think, serious internal conflict within these 11 or 12 Commissions and Executive-type agencies.

The second objection to Section 11 is the, is the appointment itself of the chairman, or the chairperson, by the Governor. The present law provides that the Commissioners of the Commission, Human Rights Commission, that is, elects their own chairperson and deputy and the Commissioners appoint their deputy, I mean appoint their Director.

Now, that's important, because we're talking about installation from, again, influenced and controlled by the Chief Executive Officer of the Director, surely the Commissioners are accountable to the Governor, and so is the Director, but through a Commission composed of presently 12 persons, citizens of our state, appointed for five years each, which leads me to Section C, because you propose in C that the terms of the Commissioners terminate with that of the Governor, or be co-terminis with that of the Governor. Well, that, that eliminates some very important features of a body like ours. Since 1943, the terms of the Commissioners have been staggered, which has had the effect of providing for overlapping, and continuity. I can envision if the all 12 Commissions and the Director is reappointed or changed every four years, you have the reinvention of the wheel every four years.

You have a brand new set of people every four years, and you lose the historical impact and you lose the continuity that has been built up over the years. Now, whether you argue with what we do and how we do it, the point is that we are the Agency, State Government's law enforcement agency in its field, and by virtue of what we have to do, we will logically then, I suspect, offend, but that's not the issue, perhaps, I hope. The issue is that the, that one Agency is most unique in the system. Finally, on this Bill, the proposal argues that the, the governor should have reporting authority from the Commission and we support that, we do support very strongly support a reorganization that calls for the Executive Branch heads reporting to the Governor, and accountability; we also support the general thrust of this bill, efficiency, economy and effectiveness. We don't think you accomplish that through simply reorganization without attention to the individuality of the various agencies that you would regroup.

I'll certainly be glad to answer any of your questions or comments.

REPRESENTATIVE HENDEL: Your reference to Section 11, was that in the preamble in the First Section of the First Section where we have definitions?

MR. GREEN: My reference to Section 11 is the Reorganization Act, Section 11, which starts on Page 6. The Reorganization Act Bill is about 8 pages. Page 6

MR. GREEN (CONTINUED): of that particular one, Section 11.

REPRESENTATIVE HENDEL: What's the LCO on the first page, Mr. Green.

MR. GREEN: The copy I have, ma'am, does not have.

REPRESENTATIVE HENDEL: Yes.

MR. GREEN: Yes. It is blank with respect to the numbers, yes. Okay?

REPRESENTATIVE HENDEL: Okay. All right. Also, I call your attention to the Preamble, the very first Section of the Act has a series of definitions, and it does include, for your information and others, this definition of administrative services.

MR. GREEN: Fine.

REPRESENTATIVE HENDEL: Administrative purposes only, inside, okay? Thank you. Mr. Keller.

MR. KELLER: Senator Baker, Representative Hendel, Members of the Committee. My name is Antohony Keller, Executive Director of the Connecticut Commission on the Arts, and I am speaking this evening at the Commission's request and in its behalf.

My remarks are directed to lines 210 through 237 of the Government Administration and Policy Committee's raised Bill on "Reorganizing the State Board of Education and Department of Education" that's LCO 7424. This section positions the State Commission on the Arts within the Department of Education for administrative purposes only.

The Arts Commission urges a reassessment by the Committee of this aspect of the total reorganization proposal. We see no clear gain, either to government or to the citizens of the state, in incorporating the Commission into the administrative machinery of the Department of Education. It is not apparent to us that any economies, any improvement in our agency's public service or any increase in government's coherence or credibility are to be found in such a move. It is our concern that an opposite impact may be the result.

This position was presented to the Committee on the Structure on State Government in November in a statement by our chairperson, June Goodman: And now I'm quoting. She said that"The conclusion of the Commission - the conclusion the Commission has reached with regard to the recommendations of the Committee on the Structure of State Government are that we are not able to support the suggestion that this Agency become a part of the State Department of Education. We are well aware that the Filer Committee proposal does not ... intend to limit, alter or encroach on the decision-making role of the Commission. We would also like to knote that our relationship with the State Depart-

MR. KELLER (CONTINUED): ment of Education is already an excellent and mutually beneficial one. Nonetheless, it is impossible, without considerably more information, for us to perceive the value or the practicality of melding the administrative and clerical tasks of the two agencies in a government reorganization"

And Mrs. Goodman's statement continues in a description of the variety and diversity of programs that the Arts Commission presents to the public, most of which do not have directly to bear - to do with the education function in the State. Citing one in particular, which is an employment program, she concluded in this quotation "Generally, we see our position in state government as comparable to that of the National Endowment for the Arts in the federal structure, unaligned with any larger agency but clearly accountable to the Congress, the President and the public."

The Filer Committee accepted this view and subsequently/re assigned the Arts Commission to the Office of the Governor. The State Board of Education, from its own perspective, also moved formally against the concept of including the Commission in its departmental structure.

We ask you to consider these precedents in your deliberations. Thank you.

REPRESENTATIVE HENDEL: Thank you, Mr. Keller. Has Paul Haas returned to the Hall?

MR. HAAS: Good evening, Senator Baker, Representative Hendel, Members of the Committee, my name is Paul Haas, I live in Glastonbury, Connecticut, I'm a member of the Connecticut Safety Commission, a Commission on which I have served for some 8 or 9 years. I served as its Chairman from 1972 to 1974. I probably have a very strange remark to make, and that is that back in November of 1976, the Connecticut Safety Commission commended the Filer Committee's report and that it placed in the Public Safety Department.

The reason for my appearance tonight is that also submerged in that recommendation is the abolition of the Connecticut Safety Commission, and it is very curious that in its 40th year, the Connecticut Safety
Belt #6 Commission members, 21 members, would be abolished. And it is also strange that in the past seven years, they have been trying to do away with us. We (MACHINE SKIP - INAUDIBLE) in the State of Connecticut. The wisdom of some Legislators in 1937 was that there should be 21 citizens appointed to a Safety Commission, serving without pay, and purely serving the interests of the citizens of the state in Safety, and they should be supplied with the enormous staff of two clerks, one field representative, and an Executive Director, which today has grown to the enormous sum of some 57,000 dollars. Without going into a great deal of detail, the Safety Commission was charged with the responsibility of coordinating the safety efforts of the people of the State of Connecticut in home, recreation, farm, school, industrial, bicycle, pedestrian, etc. safety efforts. The volunteer efforts of the 21 members of the Connecticut Safety Commission is commendable.

MR. HAAS (CONTINUED): The value of their services, which is rendered to the State of Connecticut, is of inestimable value. The Commission members are drawn from the public sector, they represent all facets of the general interest in safety. They are unpaid. The 40 years of service that myself and other members have rendered to the State of Connecticut would be abolished if, in fact, the Commission is abolished. We are very much in favor of having more services of other agencies within that Public Safety Department, but you cannot replace the volunteerism of, for instance, the Triple A of Connecticut, who published, printed and circulated some 50,000 bicycle safety pamphlets to the schools this year, at no cost to the State of Connecticut.

The Aetna Insurance Company, that printed for instance, 25,000 bicycle safety program curriculum for the schools at no cost to the State of Connecticut; the Hartford Insurance Group, for instance, who has posted many safety conferences which were renowned in not only the State of Connecticut, but throughout New England.

The Motor Transport Association, who supports the conferences, programs, printing facilities, for the Connecticut Safety Commission efforts. Much of these efforts, and the inestimable thousands of dollars that are donated by the private sector are representative - are represented in guys like me. It truely would be a shame to have - to put the Connecticut Safety Commission neatly into some cubbyhole in the Public Safety Department, and ignore the essential contribution of the private sector. You may call it the Public Safety Council, you may call it an Advisory Safety Committee, call it what you may, but please do not shut off the input from the private sector which costs the State of Connecticut absolutely nothing.

All we ask is the permission to serve.

REPRESENTATIVE HENDEL: Thank you, sir. Is Nelson Douglas here? We're now proceeding to the public part of the testimony, and we want very much to hear all of you and if it is possible to limit your remarks to about five minutes apiece, I think we'll be able to hear all of you and still be alert enough to understand what you're saying. William Miller?

MR. MILLER: To the Members of the General Assembly and this Committee, I'm William Miller, 645 Brewster Street, Coventry, Connecticut. I represent myself as a citizen, although I belong to the Connecticut Sheep Breeders Association, the Tolland Agricultural Center, and I am active in the State Grange. My statement is that Connecticut Agriculture must remain free. It cannot be free under an organization within the Government which has not exhibited concern for the problems of the farm community. All our citizens, every one of us, sit down three times a day to consume the products of the farm. The further the market gets away from the source, the more expensive the products become, and we all have to pay.

Our first priority must be to keep agriculture in Connecticut at the top of its efficiency. This cannot be accomplished in a subordinate

MR. MILLER (CONTINUED); position. Agriculture is one of Connecticut's essential occupations, it offers many job opportunities, the Department of Agriculture must see that they continue to maintain these jobs. This is a Department which keeps jobs in the private sector, therefore, the farm operator must have a single office in which to turn for counsel. Moreover, the Environmental Protection Agency is a regulatory agency, it creates no jobs in the private sector, it approaches its decisions from a negative point of view. Such an approach would be the death now for free agriculture in Connecticut.

Connecticut needs less government, not more government. It needs smaller government, not bigger government, because bigness is not necessarily good. Agriculture cannot be free, if it must be subordinate to the environmentalists, the environmentalist is necessarily protective of the predators of all nature, be they insects, animal or fowl, predators cannot be protected by one-half of a department and controlled by the other. The farmer or agriculturalist must be an active combatant against the elements, even manmade problems. The computer cannot solve the problems of agriculture until the computer can control all of the elements, the wind, the rain, the clouds, the sunshine. Where was Environmental Protection Department when our forest lands were being devoured - they gave no assistance. Where were they when crops are destroyed? They offer no answer. What can they do when the land is too wet to grow crops to sustain our increasing population?

Ask for more wetlands? It is inconceivable that this proposed arrangement can do the job required by society to fill its needs. We in agriculture feed that field that are now elements now assigned to the Environmental Protection Agency that rightfully belong to the Department of Agriculture. Tree farming and farm management are every bit a part of agriculture. We suggest that this move be made; we have strongly emphasized that the Department of Agriculture be allowed to function free and in the best interests of Connecticut. Thank you very much.

REPRESENTATIVE HENDEL: Thank you. Mrs. Douglas Porter? We would appreciate it if you would refrain from applause.

MRS. PORTER: Mr. Chairman, Members of the Joint Committee on Government Administration and Policy, my name is Mary Porter. I am President - can you hear?

REPRESENTATIVE HENDEL: I think you'd better speak closer to the machine, so you will be recorded.

MRS. PORTER: Okay. My name is Mary Porter and I am President of the Connecticut Farm Bureau Association. Can you hear? Okay. All right.

I live in the town of Hebron, Connecticut, where my husband and I together with his brother and mother and our son operate a dairy farm, 260 head of dairy cattle. We own 350 acres of land we rent an additional

MRS. PORTER (CONTINUED): 200 acres. Ours is a family farm as is true of nearly every other farm in Connecticut.

The Connecticut Farm Bureau is a voluntary organization of 2500 member farm families,representing the full spectrum of Connecticut's agricultural production - Dairy, Poultry, Fruit, Vegetables, Potatoes, Horticulture, Livestock and Tobacco. We are primarily producers of the most essential ingredient in human life - and that's food.

Our Connecticut food production is valuable because it does not constitutes an equivalent of 35% the weight of the food consumed annually by the Connecticut's more than three million people, but it also represents a buffer for the Connecticut consumers against the higher cost of the total dependence upon out of state sources for their food supply. In addition to this, it is produced and leaves our farms under the highest standards of quality applicable in any state in this nation.

A by-product of our food production is "The quality of life" which our open spaces provide to the Connecticut citizen. The plants that we grow on our land daily cleanses the air of many of the air pollutants of this commercial and industrial state.

Nationally, the farmers are currently faced with a growing challenge - and that is of producing food for an ever increasing population, on less acres, we have to face energy shortages, increased costs of transportation and long term water shortages in those areas of the Country that are considered to be our primary sources of food supply.

Connecticut is fortunate to have retained a vital food producing economy and it's time that the citizens take these pluses into consideration.

While it's expensive to farm in Connecticut, this legislature has always seen its way clear to provide a good climate for agriculture, and this climate has not only been produced through the passage of legislation to encourage agriculture production and the funding of valuable agricultural research and education, but you have also provided the climate for the production of quality food through a forward looking Department of Agriculture. You have assured that our vital Connecticut agriculture has had a voice in the executive affairs of Government, and this Legislation - Legislature has assured that food production is represented at the cabinet level of government.

Apparently someone or a group of someone has failed to understand these vital ingredients to food production in Connecticut.

It would be putting it rather mildly to say that our farmers are rather upset.

MRS. PORTER (CONTINUED): In October and December by the "Report of the Committee on the structure of State Government," the first report proposed to divide the services of the Department of Agriculture among five different agencies of government. It also would have crippled the nation's oldest agricultural research institution by placing it under the general direction of a single department. Research in the name of human progress would become one of research in the name of narrow interest of one specific department.

The final report of the "Filer Committee" saw the light on this latter error and rightfully placed the Connecticut Agricultural Experiment Station within the Executive Office of the Governor - a proper relationship whether it be business or government.

Agriculture, however, again has come to the bottom of the heap, and it was to become one of the three divisions within the Department
Belt #7 of Business Development and Agriculture. Frankly, farmers are angry because this means that our concern could be waived aside in favor of other two concerns in the Department, namely Commerce and Housing, and two out of three is a majority in any meeting.

Now, with little or no notice in the final days of this Committee's work, we find ourselves faced with a new proposal. Agriculture is to be placed within the Department of Environmental Protection - a department already swamped with the regulatory work concerned with Environmental Quality and burdened commissioner attempting to improve the quality of our environment serve the interest of wildlife, fish and game, parks and forest.

If this Committee is for reducing the food producing concerns of government to a division status in some agency that has as its primary responsibility matters unrelated to food production, then you, this Committee, this Legislature, is for wiping agriculture and its farmers from the Connecticut landscape whether you realize it or whether you don't.

No farmer is going to make any short or long term food production investment in a state where legislative leadership is so short sighted concerning the need for food and the need for a separate Department that has as its primary concern the promotion and quality control of that food production.

The continual question concerning the future of the Department of Agriculture, the independent future of the Connecticut Agricultural Department Station, Experiment Station, and the proposed transfer of food inspection, once the product leaves the farm, from the Department of Agriculture to the Department of Consumer Protection, has had a negative impact on the Connecticut Farmers. So negative that at this point, they are saying, "I'll not invest one more dollar in the capital assets of my farm as long as the Legislature feels this way about agriculture or fails to realize the importance of our production."

MRS. PORTER (CONTINUED): Mr. Chairman, and Members of the Joint Committee, many of our farmers are here tonight - many of them were unable to be here - they will not all have the opportunity to speak to you, and I speak for them when I say, we are for the separate and strong Department of Agriculture. We are for the retention of the Board of Agriculture. We are for the independent status of our Connecticut Agricultural Experiment Station. Anything less than this will carry a negative message to our state's food producers. (Statement Attached).

That is the end of my testimony, however, I would like to add if you have detected an air of disturbance, you are so right, it is here, it is here tonight and it is evident with our farmers. The members of our Farm Community really do not need this exercise, it is spring, it's time for planting the soil to look for the harvest and we would prefer to be home doing just exactly that, we do not have work stopages, we do not have work slowdowns, our prime interest is to produce food for people to eat, we would like to be able to do this with not any commotion or interference of any kind. Thank you.

REPRESENTATIVE HENDEL: I'd like to call on Mr. Charles Barr, and if the people who are sitting around, standing around the sides want to speak, if they'd go out in the hall, it would be easier, it's not that easy to hear in here, and we want to hear, so we'd rather you go outside, if you want to speak.

MR. BARR: Madam Chairman and Members of the Committee:

I'm Charles Barr of West Have, incidentally, this should take approximately three minutes, I'm appearing here tonight as Chairman of the Connecticut Conference of Farm Organizations in opposition to those provisions of the legislation now before you, which would end the existence of the State Department of Agriculture and the State Board of Agriculture and transfer administration of the Connecticut Agricultural Experiment Station to the Department of Environmental, pardon me, Department of Environmental Protection.

This Council can speak for the various segments of agriculture with reference to this bill because it is statewide in character, with many years of activity and the people of its member organizations produce an estimated 90% of Connecticut's total food, fibre and environmental plant material in value. The four largest segments of Connecticut agriculture as reported officially by government agencies are dairy, poultry, environmental and ornamental plants, tobacco, in that order. There are many other commodity groups within agriculture, such as fruits, vegetables, cattle, goats, sheep, swine, rabbits, swine I should say, rabbits and so on. The list is very long, and there are many groups having an interest in agriculture represented here tonight.

MR. BARR (CONTINUED): My own office serves several organizations of environmental horticulture, including the Connecticut Nurserymen's Association, Connecticut Florists Association and the Connecticut Tree Protective Association, the arborists.

Others here tonight are giving you detailed views as to how the suggested changes would affect Connecticut agriculture, which is keeping thousands of acres green for present or future production of needed crops, particularly food. In performing this useful function that will provide for our children and grandchildren in the long tomorrow, farmers are using less man-made or fossil fuel energy than any other type of industry per unit of production. Much is being said nowadays about the need to make greater use of solar energy, which farmers have been doing for thousands of years, from prehistoric times when man first learned to grow crops and no longer had to roam the earth as a hunter and gatherer. Let's keep the sun working for us, on the fields and in the greenhouses. We need, here in Connecticut, departments of the State Government to help us maintain Connecticut agriculture, and keep that sun working.

We hope that Connecticut will maintain a strong Department of Agriculture with its highly knowledgeable advisory Board, and permit the Connecticut Agricultural Experiment Station to continue on its present course of service which began more than a century ago. These agencies are performing highly valuable functions which should not be disturbed.

Thank you.

REPRESENTATIVE HENDEL: Thank you. Mr. Louis Longo?

MR. LONGO: Madam Chairman, Members of the Committee, my name is Louis Longo, and I reside in Glastonbury, I operate a 300 cow dairy farm in partnership with my two sons. I'm president of Yankee Milk, Inc. which is a milk marketing cooperative that represents the majority of dairy farmers in Connecticut, and a majority of the milk producers who supply milk for the entire New England area. We are opposed to the Bill which would create a Department of Environmental Protection & Agriculture, and in so doing, eliminate the Board of Agriculture and place the Connecticut Agricultural Experiment Station under the proposed new Department for administrative purposes. It is quite obvious by those present this evening, the numbers present this evening, the farmers of Connecticut are completely united in opposition to this Legislation, and the citizens of this state would be equally opposed if they understood the consequences of the proposed legislation if it were adopted.

I shall try to point out the reasoning behind this opposition as briefly and concisely as possible. My first reason is that the proposal would further weaken the representation of farmers in government. We have already seen this happen in the Legislative Branch of the Government, where the one man, one vote rule and the

MR. LONGO (CONTINUED): resulting redistricting of the Legislature has practically eliminated agriculture's representation in the state. Even though farmers are a dwindling portion of the population of Connecticut, they do employ proportionately much greater assets on a per capita basis than the average investment per capita in other industries, and in addition, they are responsible for the stewardship of our land, which represents the largest portion of our open space. Our farmers are producers of substantial amounts of our food supply, noticeably in dairy products, poultry products, fresh fruits and vegetables, and they control the major part of the production of our force, as well as nursery stock, so if they a are a vital segment of our economy that must be recognized by this legislature and preserved for the people of the State of Connecticut.

Even though our representation in the Legislative Branch of Government has dwindled, dairy farmers feel that they have been well represented in the administrative or executive branch by the State Department of Agriculture, which has been under the direction of Commissioners and Deputy Commissioners who have an intricate knowledge of agriculture who have been aware of the problems that our farmers have had to deal with, and who have brought to the administration of the many and complex regulations surrounding agriculture, the priceless commodity known as common sense. The staff of the various divisions within the Department of Agriculture are made up of agriculturally oriented people, who have been well trained in their various responsibilities and have had broad experience in carrying out the obligations of their departments.

Because of their knowledge, they have had an efficient and effective bearing on the quality of the state's food supply. They accomplished this not only through their regulatory function, but also through their cooperation with agricultural groups in the educational and policy forming phases of their work. We firmly believe that the farmers of this state would lose this representation in a Department which is already bogged down in the administrative complexity of Environmental Protection. If dairy farmers cannot relate closely to a strong Department of Agriculture that will represent their cause to State Government, their numbers will diminish at a very rapid rate.

The roll of the Board of Agriculture is largely a representative function, which has, over the years, provided the Department with the guidance of leaders from the agricultural segment of our people. We believe it would be a mistake to eliminate this Board and the close relationship it represents between the farm community of this state and government. And finally, we feel that diminishing the economy of the Connecticut Agricultural Experiment Station by shifting its present answerability from the Governor to a Commissioner would impair its effectiveness;all too often in research and

MR. LONGO (CONTINUED): agriculture has been concerned with immediate and pressing problems and all too little with the broad long range ones, for which a tremendous amount of so-called pure research must be undertaken. We feel that the Experiment Station, administered by a person at the Commissioner level in Government would lose his ability to conduct the kind of research it is now doing, and it would be forced to engage in work on problems of more immediate and populat appeal. This is not right. We have in our Connecticut Agricultural Experiment Station a unique institution which has earned the respect and admiration of the scientific community of this nation, and the entire world.

We finally believe that the interests of the people of Connecticut would be best served under the present method of administration at this station. The Bill you have before you is not only a poorly written Bill, it is a bad proposal that will be very costly to the State of Connecticut. I urge you not to let this Bill out of the Committee. I make my plea to you not only on behalf of dairy farmers of this state, but also as a citizen who represents three generations occupied in Connecticut Agriculture on near 500 acres of Connecticut land, and as a citizen seriously concerned about the future wellbeing of this state. Thank you.

REPRESENTATIVE HENDEL: Mr. Emanuel Hirth.

MR. HIRTH: Mr. Chairman, Madam Chairman, and Members of the Committee, my name is Emanuel Hirth, and I am General Manager of the Central Connecticut Cooperative Farmers Association, Inc., of Manchester, Connecticut.

We represent over 600 family farms, who are members and patrons to whom we supply poultry and dairy feeds. In addition, we operate an Egg Marketing Division, in Willimantic, Connecticut, with a processing plant for our members eggs, and serve many of the stores, chain stores, independent stores in Connecticut, New York and Massachusetts.

We are one of several such enterprises in Connecticut who hire a substantial number of the Connecticut labor force to service agriculture and food-oriented businesses in our state.

Mr. Chairman, it seems to me, that we in agriculture are quite frequently called upon to testify on behalf of keeping intact a Department and Board of Agriculture. I am not sure why this constant harassment of our agricultural industry continues, but I sincerely wish we could be left alone to get on with the job of producing the vital foods stuffs necessary to feed our Connecticut citizens.

Connecticut farmers need a strong voice in government to protect their interests. The very fact that this hearing is being held confirms how

MR. HIRTH (CONTINUED): fragile and unappreciated agriculture's position has become. If our own Legislature fails to grasp the significant role that Connecticut agriculture plays in the total scheme of Connecticut Belt #8 Life, we most certainly need a strong and independent Department and Board of Agriculture to speak up on behalf of the men and women who make up a 400 million dollar industry and employs thousands of Connecticut men and women, boys and girls.

Our Cooperative alone does a 50 million dollar business a year, and employs over 110 people. If through sheer ignorance and neglect, agriculture is allowed to wither on the vine, the shock waves will shake the gold dome as well as the foundation of this Capitol Building. Consumers who want reasonable price, wholesome foods, sportsmen and women who hunt anf fish and need agriculture's open spaces, and people who enjoy a weekend hike through our farm hills. All those people will rise up and challenge any legislator who would sacrifice the Connecticut family farm that ties all of those elements of Connecticut society together.

The non-farm working men and women in this state are well represented by the Labor Department, and those of us interested in clean air and water and totally favorably environment can call on the D.E.P. Our health needs are overseen by a zealous Health Department. The business community is confident that a strong Commerce Department will speak up loud and clear on their behalf. Those less fortunate folks, who for the moment, find it difficult to make ends meet, will be watched over by the Welfare and Community Affairs and Housing Units of our government.

Mr. Chairman, why do all those areas of concern rank higher than the most fundamentally basic of all? Namely, the right of our Connecticut families to be assured of an adequate local supply of wholesome food.

If we discourage agriculture, and its expansion in Connecticut, people who are hungry will not need a Labor Department, Commerce Department or Health Department, and who can eat food stamps.

Down through the years, we in American have been blessed with an abundant supply of reasonable priced, wholesome foods. As a matter of fact, enough to feed the whole world. We have been blessed to the point of apathy! We take it for granted that what has always been will remain the same. That, Mr. Chairman, is a very dangerous position to adopt. Particularly when it is adopted by our Senators and Representatives who have thw power to legislate one way or another.

In the name of good government, in the name of the men and women who live in Connecticut--but, above all, Mr. Chairman, in the name of common sense, let the Department of Agriculture and the Board of Agriculture do their job, without this constant year-to-year harrassment. Please leave us alone. Keep us a strong, independent voice of the farm families in our State, so we will never have to ask, as we have this winte: in the case of natural gas and fuel oil, "Where is the food going to come from?"

MR. HIRTH (CONTINUED): In closing, may I quote a statement made by a learned Greek of several centruies ago--"Agriculture is the mother and the nurse of all other arts. When agriculture is strong, all other arts flourish. When agriculture is weak, all other arts die."

This statement is as true today as when Socrates made it many, many years ago. Thank you very much, Mr. Chairman

SENATOR BAKER: Frank Prelli? Followed by Mr. Gortner.

MR. PRELLI: Mr. Chairman, Committee Members, my name is Frank Prelli, and I am the Master of the Connecticut State Grange. In behalf of the Connecticut State Grange, and its 21,000 members, I would like to voice our strong opposition in the proposal that the Connecticut Agricultural Experiment Station be placed under or united with any other State Department, and also oppose any legislation in having the Department of Agriculture united with any other Department, or be split up and placed under other State Department. The State Grange, a rural and urban fraternal organization, was established almost 110 years ago, to study and oversee the needs of the farmer and agricultural consumers. Grange legislative policy originates at the local level, with resolutions discussed and passed in some of the 156 subordinate or Granges in Connecticut. At our last annual session of the Connecticut State Grange, many resolutions regarding agriculture were passed. I would like to take the opportunity to read two such resolutions that pertain to this Hearing.

Resolution No. 48, concerning Connecticut Agriculture Experiment Station. Whereas the Connecticut Agriculture Experiment Station in New Haven has, since its founding in 1875, contributed to the progress of agriculture research in the State of Connecticut, and the Nation,particularly in the development of hybrid seed corn, the discovery of vitamins, the control and many other research achievements and whereas its present organization is a separate entity, makes it more readily available to farmers, consumers and environmentalists, as well as allowing scientists to conduct experiments and continue their research. Therefore, be it resolved that the Connecticut State Grange strongly supports the continuation of the Connecticut Agriculture Experiment Station, the oldest established successful institution of its kind in the United States, as a separate entity.

Resolution No. 49, concerning the Department of Agriculture, whereas the Filer Report suggests the elimination of the Department of Agriculture by signing its function to other segments of State Government, and whereas the Connecticut State Grange feels that this act would destroy the Department by segmenting its functions does reduce its effectiveness serving the people of the State, therefore, be it resolved that Connecticut State Grange go on record as supporting a strong Department of Agriculture as a separate entity, which will continue to serve the needs of the agricultural community and the people of the State. The

MR. PRELLI (CONTINUED): Connecticut Agriculture Experiment Station has, from its inception, been a leader in its field, and its accomplishments are too numerous to list. Enough cannot be said for the efficient and cooperative measures which the Department of Agriculture has provided both farmers and consumers in our state. I have repeatedly said that no great nation has ever survived without a good agricultural program. We presently have that well balanced program in our state; how fortunate we are to have an excellent working Department of Agriculture, a continuous study of experiment and research at our Connecticut Agricultural Experiment Station and the splended knowledge of agriculture being taught to over 1200 students at the College of Agriculture & Natural Resources at the University of Connecticut. Therefore, Mr. Chairman and Committee Members, we urge you to bring in a unfavorable - favorable report on the suggestion of merging or placing the Connecticut Agriculture Experiment Station under any other Department, or splitting up or placing the Department of Agriculture with other agencies. It is up to you as Legislators to keep a good agricultural program in Connecticut, so as to provide the needs of our local citizens in assisting our great nation in being a leader in a good agricultural program. Thank you.

SENATOR BAKER: Thank you. Mr. Gortner, followed by Simon Lipton.

MR. GORTNER: Mr. Chairman, my name is Ross Gortner, I am Professor of Biochemestry and Director of the Science Center at Wesleyan University, and Secretary of the Board of Control of the Connecticut Agricultural Experiment Station. We've had a number of people speak on behalf of the Experiment Station tonight.

SENATOR BAKER: Could you speak into the microphone, please? So we can hear you.

MR. GORTNER: I'd like to add my few comments. But I'll keep them quite brief. I am concerned that the Bill which you are presently considering alters the recommendation of the Filer Committee, that the Experiment Station be directly related to the executive offices of the Governor, instead places the station for administrative purposes under a proposed combined Department of Environmental Protection & Agriculture. Be sure the station has been, and should continue to be responsive to the needs of such a department or to both departments that they are kept separate, as now. Furthermore, it must continue to work closely with other State Agencies, such as Consumer Protection, and Purchasing. As a research institution, however, it would seem to me unwise to place the station under the egis of any state regulatory agency. The primary function of the Experiment Station, as has been pointed out by others before me, is not one of testing or monitoring. Rather, it is one that conducts a pioneering research which seeks new insights into means of increasing crop yields, conquering plant diseases, controling insects and the like. The Station's record of major scientific discoveries and the application of such

MR. GORTNER (CONTINUED): discoveries to the welfare of mankind has brought it National and Internation recognition. I want to tell you parenthetically that some of these accomplishments would not have been possible without existing very substantial endowments, including 100 acres of experimental plots in Hamden and Windsor. Any diminution in the authority of the Board of Control of the Experiment Station would risk loss of this endowment from the State to conditional beneficiaries. In my view, the Station's accomplishments have been made possible in large measure by its present status within the State Governmental framework. Place the Station under a state regulatory agency could very well lead to problems that could be destructive to morale and result in a less distinguished staff and lower productivity. I feel strongly that the experiment station can best contribute to the citizens of this state if it is permitted to continue functioning with the light degree of freedom that it now enjoys.

SENATOR BAKER: Thank you. Simon Lipton, followed by Robert Brooks.

MR. LIPTON: Mr. Chairman, Members of the Committee, my name is Simon Lipton, I'm a farmer in Somers, Connecticut. I'm going to be rather short tonight, and ask a question or two, possibly, I feel it is quite important after listening to the gentleman from the Filer Committee tonight, what are we as farmers? Are we orphans? They toss us from Department to Department, they don't know just where to put us, but I'll bet they know where to eat the food when it's on their table. It must come from a farmer, or from a farmer's work. When you investigate what you intend to do, if you don't know what you're investigating, generally you hire someone who does know a little bit something about it. In this particular case, I don't believe any of them knew what is being done in agriculture, what agriculture is. They seem to know what it is to eat, in Hawaii, it is 90 cents an ounce for meat. It's a little bit cheaper here. I voice my approval of what the different peoples have said in favor of a State Board of Agriculture, of keeping agriculture as a separate Board in this state, and of keeping our experiment station. Some people know and some people don't know, but with our experiment station, they got us hybrid corn. Hybrid corn

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meat, that's why we have plenty of meat here today. I think you'll read in the papers the third world, the problems they have, they want food, where is it coming from? It's coming from this country. You have a pollution Agency in this state today, they want the air to be clean. Where is the largest point of pollution? Not from our tractors in the field, from the automobiles in the city streets. We grow crops that cleanse the air, we don't pollute the air, and we produce food at the same time. I could go on and bring out many things that are of importance, you've heard most of them all tonight.

I will say this, the State Board of Agriculture is a policy making group that works for the Commissioner of Agriculture, it is composed of reputable farmers throughout the state, representing every segment

MR. LIPTON (CONTINUED): of the farm economy; they meet once a month, the Commissioner of Agriculture, the Head of the Experiment Station, and pass on the information of what is happening out there in the country. They ask what is happening out there. We try to tell them from whatever segment of agriculture we are in, whether the price of milk is, is up enough so the farmers are staying in business, or whether we know of farmers that are selling out, what is doing in the grain market, all these different things that are going on out in the country, that they themselves do not have the time to go out and get. I believe it is quite important that this Advisory Group should be held. It is a group that meets only once a month. I feel that the gross injustice to our state to have the drastic changes that have been proposed and to have agriculture tossed around in this state as an orphan. We feed you, and I think we deserve your respect and consideration for what we are doing for you, the consumers of our state. Thank you.

SENATOR BAKER: Thank you. Robert Brooks, followed by Dan Julliani.

MR. BROOKS: Ladies and gentlemen, my name is Brooks, Robert Brooks, I'm Chairman of the Connecticut Equine Advisory Council. I'm here, and I will attempt to be very brief because I know you're all tired. The Connecticut horse industry, as a whole, opposes 7701, as it would create a combined Department of Agriculture and EEP, I feel without question that, that we need in this state a separate and equal Department of Agriculture. The horse industry would endorse the comments you've heard of others today, and I will not repeat them for you. Specifically, I'd like to talk to the, the segment of the bill that would eliminate entirely the Equine Advisory Council.

I think you need know a few facts that we have in Connecticut an estimated 64,000 horses. That leaves us with over 12.8 horses per square mile in this very urban state. And if you don't think that leads to problems, just start to talk to the zoning boards in the small towns, the problems that we come into with land use with this tremendous numbers of horses, disease control, sanitation, solid waste, the housing for the animals, the humane laws, the, the tremendous numbers of problems have been handled over the past few years with reasonable efficiency by 18 members of the Connecticut Equine Advisory Council, who have served without pay, who, who by Statute are allowed to submit expenses, as long as I have been Chairman, there has been not one member of the Council, though we meet each month, and we've missed two months in four years, we meet each month, these people drive from all parts of the state, not one member has submitted gas mileage, not one member has submitted a phone bill, not one member has ever suggested that we should seek reimbursement.

These people are in the industry and interested in the problems, they work, they work hard, we have a number of subcommittees who, who meet in the interim, and they have, they have primary functions

MR. BROOKS (CONTINUED): the state, has been, has been planning and creating the basis for moving forward. We have done some basics on an economic impact study which indicates that we are talking about over $50,000,000 a year impact, we don't have the funds to do a true impact study, we need to do this in the future. Specifically, what I am saying to you is that we do, in fact, have problems within this industry here in the State, and that we have people who have been working on it in the past without remuneration, who have been doing a good job, working hard, advising the Department of Agriculture, working with Legislative Committees, there are a few Legislators who have not had some dealing with the Connecticut Equine Advisory Council.

We, we can show an almost no cost function to the State of Connecticut, and, and we ask you why, why does it help the state to eliminate this group of volunteers who work so hard. It is our feeling that, that the Committee should reconsider the, the cause that would eliminate the Equine Advisory Council, and further that, that you give more consideration to the testimony that you have heard regarding the value of a separate and equal Department of Agriculture. Thank you.

SENATOR BAKER: DAN JULLIANI, followed by Charles Stroch.

MR.JULLIANI: Dan Julliani had to leave and he asked me to make some remarks in his place. My name is Attorney Barbara "Rugge" I represent the Northeastern Council of Sportsmen, the Connecticut Sportsmen's Alliance and all associated Clubs, the Metropolitan Revolver League, the Connecticut State Rifle and Revolver's Association, the Connecticut Gun Bill, Bristol Fish & Game Club, Northwestern Fish & Game Protective Association, and a variety of other sportsmen's groups. I wish to speak this evening to two Bills, Legislative Commissioner Office Bill 7701, and 7437. The first has to do with the combining of the Agriculture Department with the Department of DEP. The sportsmen of Connecticut views this merger with alarm.

Under present situations, for a number of reasons, conservation gets the short end of the stick in DEP. The sportsmen are very concerned about conservation. To further delude, the interests of the conservationists would be against the interests of the sportsmen of Connecticut. It will also be against the interest of the farmers in the State of Connecticut. Farming is a special element of our society, both economically and in terms of food production. Farmers and farming are an endangered specie and occupation in this state and in other states, and I think all of us should be vitally concerned with a strong Agriculture Department, one that is independent and is not wracked by the many problems that the vast Department of DEP has to advise. The second Bill I wish to speak to has to do with the establishment of a Department of Public Safety, and the point I wish to speak to is the elimination of the Board of Fire-arms Permanent Examiners.

MS. RUHE (CONTINUED): Sportsmen and other citizens of the State of Connecticut are vitally concerned with the elimination of this Board, because the Board would be replaced by a Commissioner, one single person who could arbitrarily act and perhaps deny just permits to those interested in these types of permits. The Board of Firearms Examiners is rather unique in the State of Connecticut. All of the members serve without pay. They serve a vital function in terms of coordinating and advising police departments in the state of Connecticut, in the area of gun laws. But for the Board, there would be 169 different versions of gun laws in the State of Connecticut, since there is a fair amount of discretion in each community. The Board is made up of three law enforcement officers and two laypersons of different backgrounds. The Chairman of the Board is an attorney. The Board is unique in that it deals with an explicit Constitutional guarantee, under Section 15, Article 1 of the Connecticut Constitution, which guarantees every citizen the right to bear arms for his protection. No other Board of Administrative Body in the State of Connecticut deals with an explicit constitutional guarantee. The elimination of this Board would, would jeopardize the constitutional guarantee and would perhaps result in theevolution of a wide diversity in the interpretation of gun laws. Sportsmen with their interest in hunting are very concerned about this, and would urge this Commission to eliminate this section of the Bill. Thank you.

SENATOR BAKER: Thank you. Charles Stroh, followed by Ben Andrews.

MR. STROH: Mr: Chairman, Members of the Commission, my name is Charles Stroh, Suffield, I own a large dairy and poultry farm.

SENATOR BAKER: Speak into the microphone, please, so we can hear you.

MR. STROH: I'm Chairman of the Governor's Task Force For The Preservation of Agricultural Land, and of course, you all know why it is this Taskforce came into being, it was in the year 1973, that we experienced the real danger of a food shortage, and as a result of this, the taskforce was, was appointed by then Governor, and we've tried to preserve land for agricultural use, but whether this will come to be, because of financial reasons, remains to be seen. I know you worry at this point, and I am not going to go into to repeat - I'm not going to repeat many of the arguments that were made, but I do want to, I do want to stress a couple of points as to the importance of agriculture, and why I would urge that this Department of Agriculture remain as is.

One is the development taking place in this country at the present time, and it's very encouraging and anything that may happen to stiffle it would be extremely unfortunate. There are only about 4% of our population producing the food of this nation, and that is something that we must deliberate very seriously, because we're terribly dependent on these people, and if we do anything to upset even a small percentage of those people, we're in trouble. Secondly,

MR. STROH (CONTINUED): there seems to be a trend of women taking an interest in agriculture, and this is extremely encouraging. I spoke to a group at the University of Connecticut on agriculture recently, and of about 50 present, 25 were women, and the interest of these women on agriculture is one of the heartwarming things. As a matter of fact, I've gone to the point where I have a 23-year old girl managing a 500-acre operation and doing an excellent job. Now these people are wholesome, they're substantial, they need encouragement, and if they don't have a strong organization to help them, they're just going to go to other things as they have in the past. And I think one of the most unfortunate things this legislature could do would be to interfere with our State Department of Agriculture, its independence, its record over the years is one of the top records of any Department of Agriculture in the whole United States in this man's examination. Now I'd also like to say a word for the experiment station. I think one of the most heartwarming experiences anyone can have is to go to that experiment station, see how its operated, and when any institution has been well run for over 100 years and has served mankind as that one has, to interfere with it in any way, in my judgment, is gambling. John , who is secretary of the Forest Service, Connecticut Forest & Park Association, prepared testimony. He can't be here, and I'd like to submit it.

SENATOR BAKER: Ben Andrews, followed by Edward Whitehead.

Belt #10

MR. ANDREWS: Good evening. My name is Ben Andrews. I'm representing the NAACP branches throughout the State of Connecticut, and the Connecticut State Conference of Branches. I'd like to simply state for the record that I am speaking, not necessarily in opposition of the legislation, but a section of that legislation--11 A, C and D of the Act Concerning the Reorganization of the Executive Branch of Government. That particular section is relating to the State Human Rights and Opportunities Commission. In particular, while I recognize, like I think a lot of other people who have spoken here tonight, that there is efficiency being sought in government, and there's a lot of other things in terms of administrative improvement and what have you. Well, while we do that, I think we have to be extremely concerned that we do not ignore those human cries, those cries of millions of people here today who are going to impact our lives. They're going to impact the things we're working on. Well, I'd like to just simply separate for a second this state agency, the Commission on Human Rights. I know the Committee members have heard this many times before, and I spoke before this Committee, and I must say it again, that it is wrong to take an enforcement agency and place it under the control of those that they have the responsibility to monitor and to see to it that they are complying with the law. Perhaps the outrage would not be there, but I must state that we are outraged for whatever that means at this point. We're hopeful that the legislative process would be to eliminate the Commission from this particular session and save all of us a lot of headaches, a lot of fighting that need not necessarily happen because it's strange when you look at it. The original reorganization plan did not include, as I understand, at least it should not if it did have it, a reference that the governor will be appointing the Executive Director of the Commission on Human Rights, or the Commissioners, or to have these Commissioners turn around every time a governor changes, they're going to appoint a new Commissioner and a new Director just like any

MR. ANDREWS (CONTINUED): other agency. You'll eliminate continuity, but more than that, you put it under controls. In recent times we have not, we have not gained the experience that we're going to rely on good faith and human behavior in place of good laws that are already on the books. There is a procedure in Connecticut that allows for a degree of autonomy, while at the same time the Commission is responsible to the proper authority to monitor law, including the Governor, but it is strange, and I'm making this accusation with due respect to the people I'm speaking to, and we'll be going further with it beyond this particular statement, that according to information we have at this point, we cannot help but conclude that either there's a tremendous amount of naivety in the legislative body, or somebody's making an outright effort to destroy an agency. The Commission who is moving against State agencies has not been made public yet, but will be made public, I would imagine, soon. Strangely enough, when the Govemor's office and other key offices are indicated that they are not complying with the law, now we have an attempt to control that agency, and I personally, and we've stated at our Board meetings, that one can't help but think that this is a direct attack to be able to select who the Director's going to be, thereby getting rid of Arthur L. Green. And that's the kind of accusation that we feel is being done here. There's not one rationale that has been put forth by this Commission or anyone else in the case that makes logical and good sense for the Governor to appoint the Director of the State Human Rights Commission. Other Commissions maybe, but not an enforcement agency that has called the Governor and said "you are not complying fully with the law." If this is the person that's going to say that I can hire and fire you, it makes no good sense. At the same time, we're going to allow it so that one political party can have complete control of the Commission of Human Rights, be it Democrats or Republicans. It is not right. It is purposely designed to have Republicans and Democrats, to have staggering terms, to be protected from political intervention. This entire section relates to controlling, relates to political maneuvering to gain the complete control of the Commission, to direct its course in action, to create and destroy its effectiveness for citizens of this State. Now I think we, like any other good organization in this State, will back up immediately when somebody says "hey, slow down". There's a good solid reason for efficiency. There's a good solid reason for administrative purposes, but this has not been done. And legislators that you talk to, they look naive. They say, "oh come on", or they ignore you. But this is foolishness. I say we don't have concern, we are outraged that this obvious either point of naivety or ignorance on somebody's part to offer that section of that bill to suggest that it is good for the State of Connecticut. It makes no difference at all. I thank you.

SENATOR BAKER: Edward Whitehead, followed by John Savage.

MR. WHITEHEAD: Mr. Chairman, members of the Committee--I am Edwin Whitehead, and I operate a dairy farm in Washington, Connecticut in partnership with my father. I would like to speak in opposition to Locater No. 7701, particularly on the effect it would have on the agricultural industry in Connecticut. I personally feel two of the most serious matters facing agricultural producers are the availability of agricultural land and the legislative climate concerning

MR. WHITEHEAD (CONTINUED): agriculture. I feel I am one of the fortunate, to be "born to a farm", the only son of an only son, a fourth generation farmer. Gone from Connecticut today are many people my age and younger who are good farmers and who wanted to farm here, but were not "born to a farm" and had to farm in other areas where they could purchase a farm whose land value was closer to its agricultural value, thus something they could afford. We are concerned about the availability of agricultural land on our own farm as two-thirds of our corn and three-fourths of our hay is raised on land we do not own. A more important concern, however, is the legislative climate effecting agriculture. Farmers have always been gamblers--they gamble on the weather, the demand for the products they produce, the possibility that a new method will increase output, etc. I can only speak for myself. I feel that young farmers who were "born to a farm" are not willing to gamble on the legislative climate concerning agriculture. The main reason a relatively small number of Connecticut farmers are able to produce nearly one-third of the food consumed in the State is because of efficiency, partly due to increased tonnage of corn grown per acre since the development of hybrid corn by the Connecticut Agricultural Experiment Station--some of its basic research--one of the main reasons we do not want to see its autonomous position discontinued, where it could be influenced greatly by any one department. Another factor has been the development of bulls with superior inheritance for milk production, which can be transmitted to their daughters, a developmental process that takes 6 or 7 years but is very efficient. We need our own Department of Agriculture, staffed with capable people who understand the long-range time intervals involved with improving agricultural efficiency, as well as the importance of reacting in hours or minutes when problems arise with the perishable agricultural products we produce. We need our own commissioner to be a spokesman for us in the internal and executive affairs of government. I don't think very much of getting up at 4:30 in the morning, working all day, hiring part-time help to finish chores in order to be able to leave in time to get to a hearing that I didn't find out about until this morning. If this bill passes and we lose our Department of Agriculture and our Commissioner as a spokesman, this will happen more often. Presently, to improve efficiency, our farm needs a new facility to house dry cows and young stock which will require a large capital investment. If you were a young person my age, would you make such an investment in a state that didn't think enough of agriculture to have its own Department of Agriculture, or would you make a new start in an area that had a more favorable climate for agriculture while you still had some youth, drive and ambition? I urge your unfavorable report on this bill and thank you for the opportunity of speaking.

REPRESENTATIVE HENDEL: Thank you sir. John Savage, followed by Mary O'Connor. Do you want to leave that statement with us?

MR. SAVAGE: My name is John Savage. I'm a dairy farmer. I'm a former member of the House of Representatives. I currently serve as Vice President of the Conn. Agricultural Information Council. I also serve as Selectman in the Town of Eastbury. The service of Selectman does familiarize me with the DEP and its vast administrative problems. In considering this move to put agriculture under DEP, I would urge the Committee not to move in haste.

MR. SAVAGE (CONTINUED): Change, of course, as we all know, per change itself does not benefit. Let's look before we leap and learn all we can about agriculture. I know that we're a very small minority group, and we as legislative people don't have the time to understand thoroughly all minorities, but let's give it a try and learn about agriculture before we decide where to put it. Agriculture is important. Food does not come from a supermarket. Basic food comes from farms. Supermarkets are merely distributing food. Agriculture in Connecticut is important. Without farms in our state, the consumers would be the losers. No fresh food products would be available, such as fresh apples, eggs, tomatoes, sweet corn. The consumer would pay higher prices for food without local production as a price stabilizer. We in Connecticut have little, if any, mining, no oil, natural gas or gold. Our principal natural resources are people, land and water. Agriculture uses land, water and people to create dollars for the economy of Connecticut. There are few other industries in the state that do this. Obviously, then, Connecticut agriculture is needed. The question now is how we should categorize it. Let's ask a couple of questions. Would you put industry under the Department of Labor? Or Labor under Commerce? Or industry under Environment? Or Labor under Environment? Of course not. Then why are we considering putting agriculture under Environment? Connecticut's agriculture has been pushed, squeezed and throttled in the past 20 years. It's amazing we still have any agriculture left. Now we are considering a bill which would put agriculture and agricultural research under a super department in our state government where the needs would be lost in the maze of beaurocracy, where people are already overburdened. I submit that if consumers in Connecticut are going to continue to enjoy fresh food at a modest cost, we must have in our State, a strong, independent and dedicated Department of Agriculture with independent research facilities. Thank you.

REPRESENTATIVE HENDEL: Thank you. Mary O'Connor and then Thomas Williams.
Belt #11

MS. O'CONNOR: My name is Mary O'Connor. I represent the Connecticut Citizen Action Group. We urge the committee to support the measure to require public members constitute at least one-third of the membership on Connecticut's professional and occupational licensing or examining boards and commissions. CCAG has long advocated the inclusion of consumers on a broad range of regulatory bodies whose functions directly affect consumers. Such representation of consumers is one of the most central consumer measures to be considered by the General Assembly this year. The numerous occupations and professions licensed in this state are now almost exclusively self-regulating. Nominations to licensing boards are too frequently made from lists provided by the professional group being licensed. Dominated by vested interests, the boards can restrict entry and competition in their fields, control prices and dictate policies to be obeyed by members, all without regard to consumer needs. This domination of vested interests, which presently exists, has caused CCAG to be concerned with the definition of public member contained in Section 5 of AN ACT TRANSFERRING CERTAIN BOARDS TO THE DEPARTMENT OF CONSUMER PROTECTION, CONSOLIDATING CERTAIN OF THEIR FUNCTIONS, AND PROVIDING FOR PUBLIC MEMBERSHIP. CCAG urges the Committee to consider removing the words "for three years" (line 136½) to ensure that the public members would never have been professionally affiliated with the regulated industry, profession, occupation, trade or institution. In

MS. O'CONNOR (CONTINUED): addition, we ask the Committee to consider, within the definition of "public member", excluding those who have or have had substantial business ties to the regulated industry, profession, occupation, trade or institution.

To show the need for these changes, let us examine the present Advisory Council on Hearing Aids. The Council consists of 3 hearing aid dealers, 1 otolaryngologist, one audiologist and 2 public members. Presently, one of the public members is affiliated with a Hearing Aid Manufacturer, hardly the representative of the public interest this legislation intends to place on such a board. Public members should be people who, in the consumer interest, will act as watchdogs, push to get relevant, useful information out to consumers, add a fresh perspective to the boards and act as a spur to force boards to use their powers to protect the public. We hope this Committee will take this opportunity to institute accountability in Connecticut's licensing boards and commissions. Thank you.

REPRESENTATIVE HENDEL: Thank you. Thomas Williams, and then Barbara Rugee.

MR. WILLIAMS: Madame Chairman, members. My name is Tom Williams. I'm from Cheshire and past President of the Connecticut Tree Protective Association and presently on the Board of Directors. I am a practicing arborist in the field of arboriculture for over 20 years in this state, dealing with the care of shade and ornamental trees. Tonight I'm representing the Connecticut Tree Protective Association with reference to the deletion of lines 268 and 269, Section 9, of Bill 7701. The Connecticut Tree Protective Association (CTPA) has adopted a resolution of support for the maintenance of the Connecticut Agricultural Experiment Station as a separate research institution governed by its Board of Control as specified in General Statutes 22-79 and following. Thus, we implore you to drop the suggestion that administration of the Station be transferred to the Department of Environmental Protection. The CTPA is the primary organization of tree care professionals. There are 476 arborists licensed to work in the state. We're all dedicated to the care and preservation of Connecticut's trees, and the Experiment Station not only helps us, but through us helps thousands and thousands of Connecticut citizens directly and indirectly. With its present organization, the Station lends its expertise to the DEP, and especially important, it delivers service to the professional tree experts. The Station goes beyond service to serious research that solves the problems of the trees that make Connecticut an attractive place for people and businesses. We fail to see how burying the Station in the DEP would improve the delivery of service to citizens. In fact, we are sure that the service and especially the research that citizens need from the Station would be destroyed in a regulatory agency. I will delete some examples and deference to time. Again, deletion of lines 268 and 269 of Section 9 of Bill #7701. We implore that you leave the Station as an effective research institute under the Board of Control. Thank you.

REPRESENTATIVE HENDEL: Thank you. Barbara Rugee, and then Margaret Wilson. Barbara Rugee.

MS. WILSON: My name is Margaret Wilson and I am a member of the Commission on Children's Services, State Health Coordinating Council, Regional Mental Health Board. I am speaking as an advocate for children and other persons, and not on behalf of those boards, and I am speaking from over 25 years of volunteer service on behalf of children and other persons who need an advocate

MS. WILSON (CONTINUED): and very often can't find one, and I'm amazed to see so few people here tonight who are particular advocates for children and people such as the mentally ill. In all of these years, about the only way that I have found to coordinate things on behalf of the children or the mentally ill is to serve on all the boards myself. And I have been looking for a time when we would reorganize government so that we might begin to design a system which would build in the advocacy for a coordinated program around the needs of the human being. I, for that reason, supported most parts of the Fyler Committee report. I see the proposed legislation moving towards such a reorganization in the new definition of the Department of Social Services. I see an agency responsibility for overall planning in order that we might have more effective manageable services and therefore hopefully be more responsive to the needs of the human being in the.... I realize that we can't move too quickly to do the whole reorganization because that would mean a good deal of dislocation, but I think that this legislation moves us a good ways forward. However, I would like to speak to some particular things that I saw tonight, and I'm sorry, but tonight is the first chance that I have had to see this legislation. In the section on enacting the Department of Social Services and Income Maintenance, move from DCA to Social Services, are the services on day care. The Commission on Children's Services can talk a good deal about this, and if you had asked us for the results of our thinking and studying it over the last couple of years, I think you would have found that we wouldn't have recommended that it go with the rest of Children's Services. Two years ago, as a result of a Commission which you created to make some transfers and some additional recommendations, we created a comprehensive department of Children and Youth Services, and we are hoping that eventually all Children's Services will be in that Department, and at this point, since you are planning to move the office of Child Day Care and the Day Care Program, I would ask you to seriously consider moving those to the Department of Children and Youth Services rather than to Social Services. It seems to me that as you have designed Social Services, they have a tremendous new responsibility for planning, coordinating, monitoring the interrelationship and linkages among all of the departments which serve people, and contrary to what Jim Waite says, I think that's a tremendous job. You know that the Day Care Program is a grant program, and could be moved, and it would add to the Department of Children and Youth Services which has a statutory mandate now for prevention. It would move a prevention program so that there would be a prevention supportive program in DCYS, and we could begin to deal with that as a department to prevent breakdown and disorder, so I wish you would seriously consider that. The sections of Section 7, Section 8, Section 11, Section 12, both parts of that. There are numbers all through this, wherever you move that. The other thing that I want to talk about is on the copy that I have, it's line 120 through 121, there have been two groups, at least, who have studied the question of licensing day care centers, homes, all kinds of places where children are cared for outside their own homes. And both of these groups have recommended to the legislature, and there is a bill in this legislature now, that all licenses and responsibility go with the Health Department, since they do have to be licensed for health purposes. Primarily the license is based on health and safety, although there are staffing kinds of things and that kind of thing.

MS. WILSON (CONTINUED): And the Health Department has been working on one section. We have recommended now a couple times that the licensing for day care centers go to the Health Department, out of Social Services which has part of it now. The other thing that I have a question on... one of the other things that I do for my paying job is teach, and I teach human development, primarily child development, and have been trying to get people to move in the direction of prevention, seeing all children on a continuum, and so on, etc. for years, but I notice that you have an Act changing the name of the Department on Retardation to Special Human Development. I don't understand this. I would ask why. What is Special Human Development? Where does one become special? A couple of years ago, contrary to the general movement of the legislature toward integrating services, you created a separate department of Mentral Retardation, took that out of another department and created a separate one. I was not supportive of that at that time. Recently, the Federal program of developmental disabilities has been moved into that department. Developmental disabilities is primarily a program which is concerned with children, but it is concerned with developmental disabilities of all kinds, and not just the retarded. And remember that among the special problems in child development and human development are the problems of the physically handicapped, the mentally and emotionally disturbed, the gifted, the vision/hearing impaired, when you talk about special human development, you're talking about a whole broad spectrum. I don't know what you meant by changing that particular title of that department, and I wish you would reconsider that. And by the way, in your Bill, there is still a reference to the Department of Community Affairs, the Bill that I mentioned. I gather as I read quickly tonight, all this legislation, that the Department of Community Affairs...the programs are going to be absorbed by other departments. As a person who was very involved in setting that up, I applaud that. I think the time has come for those programs to go someplace else, even though it was partly my baby at the beginning. Two other things I would like to mention, which have been mentioned before tonight, I do think that you want to look carefully, and I may be reading this wrong, at the appointment of all Boards and Commissions on a 4-year basis. I understand how you need to tie that in to the Executive, but I do think you lose something if you lose a sense of history without having some people go on. And I think you have to weigh those two things. And the other thing, I suggested to the Filer Commission and I will repeat here again tonight, that those Commissions which have a monitoring function should not be part of an agency which they have to monitor, and I would support those persons who point out, particularly the Human Rights and Opportunities Commission, since it does monitor all State Government, I would ask that you look carefully at where you place them and how you construct them so that it is able to monitor all State Government, including the executive branch. Thank you very much.

REPRESENTATIVE HENDEL: Charlotte Mahoney, National Association of Social Workers.
Belt #12

MS. MAHONEY: Good evening. My name is Charlotte Mahoney and I am Executive Director of the Connecticut Chapter of National Association of Social Workers. I am speaking here tonight in favor of a bill before this committee, an Act Concerning the Licensure of Social Workers, House Bill #5984. This bill will

MS. MAHONEY (CONTINUED): provide protection to the consumers of social services by regulating in statute both the practice of social work and the title of Social Workers. I testified before this committee on April 4, 1977, providing both committee and staff with in depth testimony and background material, so in the interest of time I will not go over these areas again. However, I do want to call the committee's attention to an area of the bill, the composition of the Board, because one concern was not addressed and it was the sense of the committee developing the bill that this be included. That is, that a phrase be added to line 90, Section 3, to insure that representation at the level of independent practice include clinical social work for one position and that the two other positions be filled from the other specialties in rotation. This will provide more adequate representation. Thank you for your consideration of this bill.

REPRESENTATIVE HENDEL: Thank you. Marge Anderson, followed by Daniel Leone. Okay.

MR. LEONE: Members of the GAP Committee. My name is Daniel C. Leone. I am the Executive Director of the Connecticut Pharmaceutical Association, and that's spelled P H A R M and not F A R M. I would like to speak to that portion of the reorganization bill LCL 6641, and particularly the portions that concern the Commission on Pharmacy. This bill and the sections on pharmacy would absorb the Commission on Pharmacy into the Department of Consumer Protection, where it is now Budget and Physical Purposes, and consumers to the Boards, and remove all regulatory authority over the practice of pharmacy from the Commission of Pharmacy. It would in effect make the Commission of Pharmacy an advisory committee to the Consumer Protection Commission, who would have all the authority, other than the removal of licenses, that would still remain with the Board, as I read the bill. The Connecticut Pharmaceutical Association urges this committee to transfer the Commission of Pharmacy from the Consumer Protection Department to the Department of Health Services. The practice of pharmacy over the past few years has changed dramatically, and it has become a recognized health profession in its own right. Pharmaaists have become even more essential as members of the health system, particularly as it concerns monitoring patients for drug interactions, patient compliance and consultation on medication. The pharmacist today is a health professional most knowledgeable in drug products, their reactions and inter-reactions. And our education is quite intensive. For their license, they must go through a series of internships, externships and oral and written examinations. Several bills have been passed by this legislature in the last two or three years which recognized the pharmacist as a health professional, who is concerned with the effects of drugs on patients. At the present time, there are approximately 200 Connecticut pharmacists serving as consultants to convalescent homes, approximately 300 practicing in our state's private hospitals, and well over 1,000 engaged in daily patient consultation in the state's 700 community pharmacies. I don't think we have to document any further the role of the pharmacist as a health professional. Now the Department of Consumer Protection, according to the Filer Commission, is "charged with enforcing legislation intending to protect the consumer from injury by product use or merchandising deceit". On the other hand, the Department of Health must not only concentrate its activites on regulatory actions related to public health, but must maintain an established high level of health care through such mechanisms as peer review, peer base review, and

MR. LEONE (CONTINUED): approval licensure and other items. Under the supervision of the Department of Health, the practice of pharmacy can be properly co-ordinated with all other health related Boards and Commissions. These are all part of the Department of Health because they are professions and occupations directly concerned with the health of our citizens. We believe it is quite reasonable to ask why should not the pharmacist be a part of the Department of Health Services. Now we are particularly concerned with those portions of the law which will remove the regulatory authority over the practice of pharmacy from the Commission of Pharmacy. We believe the purpose of a regulatory board and licensing board is twofold. One is to protect the public health and safety as it is affected by the practice of pharmacy, and second, to improve the practice of the profession by modernizing and updating regulations and accepting new methods of practice. We do not believe that the Commissioner of Consumer Protection, who is a non-professional with no education or training in the practice of pharmacy, has the necessary background to do this. I believe that the appointment of consumers on the board takes care of any concerns that this legislature may have as far as control of a board by one profession. To turn over the complete authority of the Board to a non-professional Commissioner of Consumer Protection is almost overkill. I have just recently this evening seen the bill which is drawn up concerning the Department of Health Services, and there is no reference in that bill to the removal of the regulatory authority from the other health licensing and regulatory boards. We do not feel this should be done to the Pharmacy Board either. We ask this Committee to do two things. One, move the Pharmacy Commission from the Department of Consumer Protection and your legislation to the Department of Health Services, and two, do not tamper with the regulatory authority that it has. Thank you very much.

REPRESENTATIVE HENDEL: Arthur Teal.

MR. TEAL: Chairman, my name is Arthur Teal. I am President of the Greater Hartford Alliance of Black Social Workers. I am here to speak in opposition to the Act Concerning Organization of the Executive Branch of State Government, LCO 5989, as it relates to the Commission on Human Rights and Opportunities. The stated purpose of the bill includes an effort to (1) improve the quality and delivery of services to the citizens of the state, and (2) to conserve and enhance the human resources of the state, so that Section 11, A, C and D of this bill are counterproductive in achieving these goals. By providing for a newly elected governor to designate the Chairperson and direct the Commission, the way is paved for political interference and increased influence in the policy of this agency. My organization is particularly concerned regarding this provision of the bill because we are aware that the present political climate in Connecticut is not sympathetic to the plight of minorities in the state. The new bill seeks to reduce the term of the Commissioner of Human Rights and Opportunities from 5 to 4 years. The work of the Commissioner is complex and most disciplined. It takes time for the Commissioner to develop adequate information to develop a strategy to initiate compliance and change. We feel that the present term of 5 years is satisfactory and consideration can be given to a 6-year term. The Commissioner on Human Rights and Opportunities is seeking to enhance the natural resources of the state by insuring that all segments of our citizenry has an opportunity to participate in its economy in the governmental operation. This is a most difficult task, which takes time and autonomy from political interference.

MR. TEAL(CONTINUED): Therefore, the Greater Hartford Alliance of Black Social Workers are here to urge the inclusion of the Commission on Human Rights and Opportunities from the provision of Section 11, A, C and D of the Committee bill, An Act Concerning the Reorganization of the Executive Branch of the State Government. Freedom is a constant struggle. Creation of opportunities evolves out of the State's recognition that the powerless statutes in our community needed existence in obtaining their fair share. Let us continue and let the Commission pursue this goal unimpeded. Thank you.

SENATOR BAKER: Thank you, Mr. Teal. Daniel Schaffer, followed by Mr. Depold. Remind speakers of our limit in time. Why don't you speak. I would remind speakers of our limit.

MR. SCHAFFER: My name is Daniel Schaffer. I am a member of the Governor's Consumer's Advisory Council. I am also a member of the State Attorney General's Office. By statute, a member of our Council. I realize it's late in the evening. I'm going to try to just get the highlights. I believe Mr. Wade has recognized the fact that our council serves a monitoring function. We serve somewhat as an in reviewing the consumer work of a number of state agencies. Formerly, this was not the case, and we used to be under Consumer Protection, and only that department, but an earlier member of our council, Madelyn Matchko, who was with the AFL-CIO, urged the legislature to broaden our jurisdiction, and when you consider the nature of consumer problems today, with utility rates, shut offs, insurance rates, truth in lending, you appreciate the fact that our state agencies, all of our state agencies, affect the consumer in a number of ways. I think it's very significant that within the last week, President Carter, on the same day that he signed legislation that would begin reorganization of the Federal Government, also endorsed a proposal for a Federal Consumer Advocacy Unit, which would be an independent unit. It would not have regulatory powers, however, it would be involved in the rulemaking process and would somewhat serve, in a way, somewhat comparable to our council. Its purpose, in the President's words, is to improve the way rules, regulations and decisions are made and carried out, rather than issuing new rules by themselves, and according to an article in the New York Times this week, the idea for a Consumer Advocacy Unit is nothing new. It originated with Ralph Nader and other persons both in government and outside government, and is based on the recognition that occasionally, by the very nature of their work, our regulatory agencies sometimes get a little too close to the industries they regulate, and the public is in need of an independent, third party watchdog. To date, when we're involved in increasingly technical approach to government, it's very important that we ensure that there's adequate public input in this process. And I want to make one thing clear. We realize that our state agencies have to work with industry and trade associations. We're not opposed to that. We feel there should be a balance, and Senator Ribicoff, who has supported this proposal in a recent newsletter to the public, cited a GAO report indicating the nature of this problem, so what we are trying to work towards was to ensure a little balance in the process. Now, why are we concerned with the Filer report? The original proposal, which ... (very end of tape inaudible)

MR. SCHAFFER (CONTINUED): They create two problems. No. 1, a problem of conflict in interest. Conflict of interest in that we are under the department which we monitor. Our budget would be controlled by it. This is the very problem that those on the Federal level are seeking to avoid in this proposal. Second problem is one of jurisdiction. It goes back to the old chain of command. If you are under one of a number of parallel agencies, it is very, very difficult to deal with other agencies on an equal level. That was the reason why our legislation was changed at the urging of Madelyn Matchko, and we feel that to keep, put us back into Consumer Protection, would be a step backward. Now,

SENATOR BAKER: Mr. Schaffer, would you try to move along.

MR. SCHAFFER: I'm sorry, Mr. Chairman.

SENATOR BAKER: We try to set a 5-minute limit here.

MR. SCHAFFER: All right. In closing, I would urge the committee to consider the experience of New York City. Mayor Beame has proposed that....he has now proposed that six of their agencies be broken down, six of these super agencies in New York City be broken down, and two others, including their Finance Administration, have also been subdivided because of their difficulties, and I realize there is a lot to this, but I feel this is far more complex than some would make it out to appear. In dealing with the very difficult problem, I'm reminded of what the United States Supreme Court once stated, that is, the problems of government are practical ones and may justify, but they do not require, rough accommodations, illogical it may be and unscientific, and we look at some of these proposals in the earlier report. I feel that it's true that you cannot run a business as you would a government, but you cannot always operate a government as one would a business. We're dealing with a problem of checks and balances, the need to ensure that there are safeguards so that we have a government which is administered by Commissioners, not commisars, in a democratic and not an autocratic manner. Therefore, I would urge that we feel that our council should be made independent or should be in the executive office of the governor, or possibly in the office of planning and management because of the nature of consumer problems. We feel that this is in the public interest of the State of Connecticut and in the interests of the people of the State of Connecticut. Thank you very much for giving me this opportunity to speak.

SENATOR BAKER: Thank you. Mr. Depold, followed by Stuart Ramsey.

MR. DEPOLD: Members of the GAP Committee, my name is Hans Depold. I am speaking as Chairman of the East Hartford Human Rights Commission pertaining to the Act to Reorganize the Executive Branch of the Government. The purpose of the bill is both noble and intense and practical, but Section 11, Parts A, C and D, run contrary to that purpose. The purpose is to make the Executive Branch more responsive to the needs of the people and sufficiently flexible. I submit that changing the membership of the State Commission on Human Rights every time we elect a new governor will only improve responsiveness to political expediency. Furthermore, flexibility implies a quality of strength and resiliance, and like steel. But Section 11, parts A, C & D would give

MR. DEPOLD (CONTINUED): watchdog agencies and commissions the resiliance of oatmeal when subjected to state politics. The purpose of the bill is to improve the quality and delivery of services to the people, but having the Human Rights Commission primarily responsive to the untried ideas, and possibly inexperienced judgment of new administrations and members every four years could have disastrous effects on the services of the Human Rights Commission. I speak then in favor of exempting certain watchdog agencies and commissions from Section 11, Parts A, C and D, and more specifically, for exempting the state's Commission on Human Rights from that section. Thank you.

SENATOR BAKER: Thank you. Mr. Ramsey, followed by Grover Atwood.

MR. RAMSEY: Mr. Chairman, members of the Committee. My name is Stuart Ramsey. I am a fruit grower from Southington. In lieu of the hour, I'd just like to make a few comments. We of the Society feel that the Board of Agriculture, the experiment station, and the Department of Agriculture need to stand as they are. I haven't heard any opposition here tonight, or I haven't heard anybody in favor of changing any department, board or the experiment station. The Filer Committee did not know what to do with agriculture, and I would suggest that you leave it alone. I would like to offer, on behalf of our Society, a statement by John Lyman, Jr. who is our legislator committee chairman. Thank you.

(The following is Mr. Lyman's statement)

I am John Lyman, Jr., a fruit grower from Middlefield, Connecticut. I am also perturbed, even incensed, at what I perceive to be another example of poorly conceived, whimsical, and impractical legislation. If our elected representatives were but guided by a rudimentary standard of common sense, half or more of the bills introduced in each session, of which the bill being heard tonight is one, would not see the light of day, and the time saved thereby could be spent in rectifying past mistakes and avoiding new ones. Terminating the Department of Agriculture and undercutting the autonomy of the Connecticut Agricultural Experiment Station serve no useful purpose and can only be called mischievous. There's been no demonstration that service will be improved at less cost or that either farmers or consumers will benefit by such a restructuring. On the contrary, there is every reason to believe that the direct opposite will be the result, and, as we all know from experience, once government makes a mistake, it is rarely admitted and corrected, but is compounded with the addition of insult to original injury. It is imperative that the mistake not be made in the first place. The Department of Agriculture has served the citizens of our state efficiently and well. I believe that one of the impressions noted by the members of the Filer Commission was that the cost/benefit ratio of the Department was very favorable. Unfortunately, the worth of agriculture to the state is being measured by the number of farmers remaining. It may come as a surprise to many, but the food we consume daily is not manufactured in the back rooms of the supermarkets. A very large percentage still comes from Connecticut's farms, and we should all thank God that it does. If agriculture is made the orphan child of such a large, unwieldy super agency such as the Department of Environmental Protection now is,

you will not only set the stage for the demise of our state's agriculture, but also insure that no comprehensive and efficient environmental program ever evolves. That is not to say that the Department of Agriculture and Environmental Protection are in conflict. On the contrary, they are much in concert. But there is just so much that one department of government can do efficiently and well. HUD and HEW at the federal level should be example enough. Connecticut agriculture is a viable and worth contributor to our state's economy and standard of living. It gives more than it demands in return. It deserves to be recognized in the future, as it has in the past, with a separate and necessary Department of Agriculture. In addressing the Filer Commission at one of its preliminary hearings, I spoke to the need of protecting the autonomy of the Connecticut Agricultural Experiment Station as follows: "Although agriculturally oriented, its work directly affects the quality of life of all of our citizens. Its ability to attract the superior scientific intellects which inevitably lead to new and exciting discoveries depends upon its autonomy. I for one cannot imagine men like Dr. Philip Garman, Dr. Ernest Stoddard, or Dr. Philip Jones being attracted to an Experiment Station in the position of sibling to a Department of Environmental Protection." This and similar testimony must have had some effect for the final draft of the Commission's report did provide for retention of the Station's autonomy. With this bill you propose to perpetrate this injustice. It can only be viewed as another step in the pursuit of mediocrity, the ultimate goal, it would seem, of all governmental endeavor. Change for the sake of change is to be avoided. There are problems enough today without a deliberate attempt to create more. Let the Department of Agriculture continue to function well for the benefit of all of our citizens. Retain the independence of the Connecticut Agricultural Experiment Station so that it might add to its impressive list of scientific achievements which have so benefited mankind and added luster to our state.

REPRESENTATIVE HENDEL: Thank you. Mr. Morris Hogan, oh excuse me, Grover Atwood, yes.

MR. ATWOOD: Madame Chairman and other tired members of the Committee.

REPRESENTATIVE HENDEL: Tired and hungry. You keep talking about food.

MR. ATWOOD: Did I hit it? I must have hit the switch. Sorry. Reference to bill #7701. I think that's the right number. I am Grover Atwood, a dairy farmer from Litchfield County, Connecticut. Connecticut agriculture produces approximately one-third as much total food as the people of our state consume. In case of a major energy crisis or an atomic attack, this might well be all the food reserves the population of Connecticut would have. At best, this would only be enough to forestall starvation until larger supplies could be procured. This is not the most secure position for Connecticut people, but it is the best that can be afforded at present, be offered at present. It just seems to me that the people of Connecticut deserve to have their remaining agricultural security under the guidance of a competent leader of full commissioner status, one who is knowledgeable in agriculture, and capable of developing our production to the greatest practicable level. This commissioner should be devoted to the security and welfare of our consuming public, and should be able to maintain the quality and safety of product that we, as consumers, need. I believe that if the Connecticut public

MR. ATWOOD (CONTINUED): realized that their nutritional security is at stake, they would not permit our agriculture to be entrusted to any less than a well qualified leader of full commissioner status. Also, I feel that it would be a mistake to have our Experiment Station answer to anyone except our highest elected leader, who, of course, is the Governor. The Experiment Station should not, under any circumstances, have to be responsible to a political appointee. I thank you. This is purely my own personal opinion. I am not guided by any organization, although I am a member of many.

REPRESENTATIVE HENDEL: Thank you, Mr. Atwood. We do appreciate your views. Mr. Morris Hogan.

MR. HOGAN: Members of the Committee, my name is Morris Hogan. I'm a farmer from Burlington, Connecticut. In case you've never heard of Burlington, it's a little community about 20 miles west of here. At the moment, there are three farms left, and they're all , and mine is one of them. So therefore, while it might seem that I'm here to speak for the farmers, I'm here to speak for you people. In case any of you bought a head of cabbage in the last month or two and paid $1.50 for one about that size because they had a frost in Florida that never hurts cabbage, I think that you should do all you can to help the agriculture in the State of Connecticut. When I say there are three farms in Burlington, all , my brother and I operate a 500 acre farm and are known as the Hogan boys. I'm 75, he's 84. So therefore, we won't be Hogan boys forever. Another farm has already been sold to a developer, and the developer is paying the farmer to stay on it to keep it looking half way respectable instead of looking like a mess of weeds and bushes. The other one is just a small farm, about 20 cows, and this is what's happening. Seventy-five per cent of the farms in Connecticut have gone out of business in the last 30 years, a drop from about 20,000 farms to about 4,000. The way that I look at it is the farms in Connecticut have all disappeared, and you're bringing your food in from outside. Your costs are going to at least triple. In the first place, because you're at the mercy, and in the second place, you're paying high transportation costs, ad infinitum. It's way makes your cost grow. I think that to put the farm or Department of Agriculture under Environmental Protection would be a terrible mistake. The farmers are the environmentalists. They life in it. They live by it. They are your environment. You have a Commissioner of Environment right now, Stan Pak, and I know him very well, know him personally. He's an excellent good guy. I know him as a former representative from New Britain, as a Senator from New Britain, as a mayor from New Britain, and as Commissioner of Motor Vehicles, and couldn't say anything bad about him. But what the heck does he know about the business of cabbages? And I think this goes the same if you put the Department of Agriculture under the Department of Commerce. I think the Department of Commerce should have an industrialist as the head of that, and again, he may know his tomatoes, but he doesn't know his dairy cows. And this is the way it works. You must maintain a department of Agriculture that a farmer, if he needs help, can go to and not be chased from one building to another all over Hartford and half the county. He just doesn't have that time. And I might also say that I doubt very much there's a working farmer in the State of Connecticut that would last six months on a 40-hour week. That is a working farmer. There's some rich guys that use it for a tax write-off. That's different. But a working farmer can just never survive on 40 hours. You can't find a 40-hour

MR. HOGAN (CONTINUED): cow. And these are the problems that must be faced. They must be faced by a department that's familiar with them, that knows what it's all about. And while I appreciate the time that Mr. Filer and Mr. Waite have put in on this other report, I know they did an awful lot of work and went through an awful lot of agony, I guess, and so forth, and I appreciate very much the fact that Mr. Waite tonight has gone to some extent with the farmers and said that he doesn't believe it ought to go under the Department of the Environment. This is the way it goes. I can sit here and talk for two hours on it, but you heard it. I know what you people have gone through. Thank you very much for the opportunity.

REPRESENTATIVE HENDEL: Thank you for coming. Mr. Fred Edwards, followed by Craig

Belt #14

MR. EDWARD: Members of the Committee, I'm Fred Edwards from New London., and I come here tonight representing the New London Chapter of the NAACP, and as President of the Federation of Black Democrats. As a representative of these groups, I congratulate you on your efforts to make our government more efficient, and therefore, less costly. We also appreciate any efforts that you make to make our state better. Our groups in New London are working to make our community a better place to live also. We are presently working very hard with our city counsellors to develop the community dictators' affirmative action plan. This plan is long in coming, and we would not have achieved the success that we have thus far, had it not been for the Connecticut Human Rights Commission. Our community realizes that if we are truly dedicated to the idea of affirmative action, that we must have an autonomous medio-coordinator. We hope that you, too, will realize that if the State of Connecticut is serious about human rights, then it, too, needs an autonomous Human Rights Commission. Therefore, we strongly recommend that the Human Rights Commission is left as it is presently. We also hope that if you're really concerned about giving the Commission political clout, which is clout with the people, that you would consider the following recommendations. Keep the Commission out of the reach of political patronage, for human rights cannot be bought or sold, restore all funds kept in the Connecticut Human Rights Commission's budget, because there's no price to great for human rights and decency, and of course, New London and similar communities throughout the state depend upon the strong, aggressive Human Rights Commission. Add strength to the Human Rights Commission by strongly recommending that all departments on a state level support and adhere to a philosophy of human rights to an affirmative action plan. And our final recommendation is that you consider that without a strong, aggressive and autonomous Human Rights Commission, the ability of the NAACP and other organizations dedicated to the ideals of the American dream will be severely limited. Thank you.

REPRESENTATIVE HENDEL: Mr. Stebner, followed by Walter Heinz.

MR. STAEBNER: Members of the Committee, I speak for more than the 2,000 students studying vocational agriculture here in Connecticut. We are working diligently toward a career in agriculture and/or . We are opposed to the reorganized government structure as proposed. With our common sense,

MR. STAEBNER: (CONTINUED): we see that the Department of Agriculture could not exist under the department that is presently controlling it. That department is Environment Protection, and we feel that that Department already has too much work on its hands to efficiently and effectively manage the Department of Agriculture in the manner by which it, the Department of Agriculture, was created about a year ago. We do support, however, an amendment which would combine the Department of Natural Resources with the Department of Agriculture. A look at the agricultural program of study is indicative of our choice. Agriculture, as we as students define it, is the production, processing and distribution of our nation's food, fiber and tobacco. As students, we have many options open to us to study-- , farm management, animal husbandry, plant production, agricultural mechanics, and last but not least, natural resources. This program is one of the most rapidly growing areas of study in the area of vocational agriculture. Natural resources are responsible also for some of our nation's food and fiber. Looking at your seafood, there is one indication, and also the wood products and its by-products. If this amendment is not acceptable, we would propose that we have a strong department of Agriculture, because we feel that we need a central, strong government department fighting to promote and develop a stronger and more viable agriculture in Connecticut. Without this....somebody shut me off here. Without a strong Department of Agriculture, natural resources guaranteed in the future, I'd like not to be the last to tell you that you've wasted money and time in this state. Maybe this isn't the first, but I feel it's the worst. All the training of the vocational agriculture students and those enrolled in UConn would be in vain. We won't be able to practice our skills in Connecticut because we feel that agriculture would not exist. If this is deemed unimportant, ladies and gentlemen, it may hurt our vocation, but we are all industrious, and maybe we'll scratch up a living somehow. However, we feel that it's your progeny, for generations to come, that are going to be hurt, because without our involvement in agriculture here in Connecticut, products will have to be trucked in from outside of the state, adding to their cost of living. We urge that you give careful consideration to the effect this Act would have on future generations of Connecticut residents. It could mean a deterioration of this one great state of Connecticut. Thank you.

MR. MARONE: My name is Ralph Marone, and I'm a Fire Marshal for the City of Hartford, and I'm representing here tonight the Connecticut State Fire Marshals' Association who have found out just this morning that they're contemplating removal of the Bureau of Fire Prevention from the State Police Department. A State Fire Marshal's Office in the State Police Department is concerned with many more matters relating to fire safety than just the fire safety code. And I'm sure that the Committee that studied this and presented this report is not going to go into full depth of all the activities within that division. It is note going to save any money. It is not going to improve efficiency, and what is it going to do when you realize that 80% of the enforcement of the fire safety code in the State of Connecticut is on a voluntary basis through voluntary fire marshals. And I think that before any move is made that the volunteer fire marshals of the state should have something to say about where and what office they are going to be operating out of. And traditionally, and closely associated for many years, it's been in the State Police Department. And the reason the State Police Department

MR. MARONE (CONTINUED): was chosen in the first instance was that in addition to fire safety and fire extinguishment, there is fire investigation. And fire investigation in many cases, and especially today, leads to acts of arson. This is a police function, and therefore, it requires police activity. And if you move this out of the State Police Department, and place it into another Department in the state, which is not a police power department and does not have the police authority, then we're still going to be operating out of two separate divisions and two separate departments. If this is efficiency, then I'm sure the Committee, if they restudied it and realized it, that we're going to be at least two departments involved. So no matter where you move the State Fire Safety Division, no matter what department you put it in, a portion of it or a part of it has to function and operate out of the State Police Department. And in behalf of the Fire Marshals in the state, we are firmly convinced that the destiny and the best interests of fire safety in the State of Connecticut, that it should remain where it is. That if better control, better organized and certainly we have the quarters and availability to just make available to the State Police Department. And here is another case. If you move this whole division and department out of there, instead of saving money, you're going to be spending a lot more money, because then you're going to just have a lot of empty space down there in Meriden. So I urge this Committee to give careful consideration before any move is made to remove this from the State Police Department. Thank you.

REPRESENTATIVE HENDEL: Thank you. That concludes the list of speakers. Had you signed up, Reverend May? All right. We don't have you on the list, but go ahead.

REV. MAY: Senator Baker, Representative Hendel and members of the Government Administration and Policy Committee, my name is Jonathan May. I reside in South Glastonbury, and I am a member of the National Executive Committee and National Human Rights Committee of the National Federation of the Blind, and first place president of the National Federation of the Blind of Connecticut. The National Federation of the Blind in Connecticut is not a private or governmental providor agency for blind people. It is a membership movement of blind people, so there are some volunteers and consumers trying to educate the public onto our need and to our inate normality and to speak for ourselves. I'd like to state tonight, in opposition to that that portion of an Act Creating a Department of Administrative Services which deals with the state Human Rights and Opportunities Commission. The organized blind oppose changing the separate status of the Human Rights and Opportunities Commission and, we also oppose that section of the omnibus reorganization act that would make the chairman of the board, or chairman of the commission appointed by the Governor, the executive director appointed by the Governor, and the terms of office co-terminus with the Governor's terms and appointed by the Governor. We feel that the present 5-year terms overlapping with the board members electing their own chairman and the executive director responsible to the board is an appropriate way for that organization to function. We oppose it because it would politicize the now highly respected state Human Rights and Opportunities Commission, and we feel that even though the bill would attempt to make it more effective and more efficient, that in essence, there is a great potential for political interference and a diminution, a contradiction of the legislative mandate of

REV. MAY (CONTINUED): the Commission. Why my people are concerned with the Human Rights and Opportunities Commission--it is the only enforcement of state organization, state unit of government, within Connecticut, that a blind person or a disabled person can turn to for enforcement of his civil rights with regard to employment or fair housing, public accommodations, transportation. The United States Civil Rights Act does not cover blind or disabled persons. We cannot appeal to the federal government. We only have Commissioner Green and his organization, and I'd like to point out that although the Human Rights Commission is terribly underfinanced and there is immense frustration if a disabled person has a complaint, it is a professional organization. It tries to be accountable to the citizens of Connecticut, to the legislature and to the Governor, so it is very much accounted for. Therefore, I would hope that the Government Administration & Policy Committee would reconsider this and strike that section of the bill. We feel that it moves the Human Rights and Opportunities Commission out of the frying pan and into the fire from the Filer report now to this new administrative services department. Lastly, I have not gone over this omnibus reorganization bill. I'm just...haven't been aware of the existence of this one, but apparently there is a section for a comprehensive social services department as I testified formerly with regard to the proposed bill #943, The National Federation of the Blind and the organized blind community of Connecticut is definitely opposed to changing the separate status of the now separate Board of Education and Services for the Blind. We feel that everything might look more efficient on paper. Most political scientists will tell you the most efficient government organization is dictatorship. They save a lot of money. They are terribly efficient, but they are terribly unresponsive to diverse needs, especially people needs. So stressing that dimension of government, I think may cloud the issue. I regret that you have such a responsibility to try to tackle all these things in a package. I feel perhaps that maybe this is just an observation that some other blind people also have, that the Filer Committee and now your committee started out to study government effectiveness and efficiency and services. And it all boiled down to reorganizing, reorganizing, reorganizing, and admittedly, there are some units in the state government that are in need of updating and organizing and perhaps some functional alignment where it is demonstrated that does not detrimentally impact on consumers of state services. For there are many state units of government that are innocent bystanders that are performing their job to the best of their ability and whose services are more effectively rendered separately, and they should not be swept in for reorganization for reorganization sake. Thank you very much, and if you have any questions, I'll try to answer them.

REPRESENTATIVE HENDEL: Thank you, Mr. May. Are there any questions? Thank you very much. Is there anyone else who wishes to speak?

MR. ANDERSON: My name is Jordan Anderson, and I'm a resident of the 61st Assembly District. It seems through the course of the evening that there is a basic question that has not been addressed, and that is when we were talking about the administrative branch of the government, there are two types of law that are administered, statutory and constitutional. I would have to say that in considering reorganization in general, one would have to be inclined to leave autonomous those agencies or commissions that administer constitutional law.

MR. ANDERSON (CONTINUED): My particular concern is the repeal of Section 2932 of the Connecticut General Statutes which eliminates, or rather places under the Department of Public Safety the examiners. However, this is really only one point;I could see the same reason applying to the Commission on Human Rights. Voting is a right. Driving a motor vehicle is not a right. It is a privilege. I'm not sure how many of you are aware of this, but the Connecticut State Constitution, Section 15, Article 1, is much more explicit about the individual right to bear arms than the Second Amendment to the Federal Constitution. It says, to wit: "Every citizen has the right to bear arms in defense of himself in the state. It is, therefore, a constitutional right protected by the Constitution of the State, just as is the right to vote, the rights against discrimination, etc." I would therefore propose that the Board of examiners which has done an evidently fair job, and incidentally has an excellent record in terms of the record of permit holders in this state, that it remain an autonomous entity and preserving this clause a judicial . That's really about all I have to say.

REPRESENTATIVE HENDEL: Thank you. Are you.

MR. LEUBA: Thank you. Members of the Committee, my name is Bob Leuba from Mystic, Connecticut. I don't know what happened to your list, but we signed in at quarter to seven this evening and waited diligently for the names to be called.

REPRESENTATIVE HENDEL: What I think happened is we had a list of people who signed just to indicate on record whether they were for or against something, and I have a feeling that some of your names are on that, but we've got to check. Anyway, go ahead.

MR. LEUBA: Well, it actually is a great favor, because it gave us the benefit of all that's gone before that we don't have to repeat, and I won't. But I do want to say that as a citizen whose advocation involves agriculture and equine activities, I am very much opposed to the concept of lumping the Department of Agriculture into and under the Department of Environmental Protection for all the very valid reasons which have been set forth here tonight. There are between 40,000 -50,000 horse owners in Connecticut, and they've been given a liaison with the government through the Equine Advisory Council, and I think this has been an effective tool, and this has been said before by Bob Brooks, many of you have heard from that group over the years that it's existed and certainly should be permitted to continue. The Department of Environmental Protection is no place for a farmer to have to go to air his views and to have guidance for agricultural problems over the years. Probably the most significant thing for you to think about, in my opinion, is the views of the young man here who came as a member of the future farmers of America. I think it's encouraging, as many of you know, that agricultural studies are on the increase in Connecticut and elsewhere, during a period of time when many youngsters are growing skeptical and going away from educational activity, generally people looking to the land and soil, to the natural things, and I think a move away from agriculture, an indication to these young people that we are no longer interested in agricultural activities, as a separate entity, not interested in having a cabinet level official looking after an area that they're very much interested in, is a clear way to turn them off, change their direction, or to send them into another state where the emphasis is different,

MR. LEUBA: (CONTINUED) and I certainly would recommend that you give consideration to the views of this young man and those many youngsters that he represented here tonight. Thank you very much.

REPRESENTATIVE HENDEL: Thank you.

MR. KENNY: My name is William J. Kenny, and I am a Deputy Chief of the Hartford Fire Department, and I'm representing 21,000 firemen in the state of Connecticut. Now, at the last public hearing we had, as you recall, I notice on the proposed bill that the firemen weren't listed there either. I thought for sure we were going to get closed out again tonight. Just a few quick words, if you don't mind, first of all, the State Fireman's Association is opposed, starting with line 74 and going to line 212, of the Public Safety Department. The State Fire Commission must have its own individuality if it's going to progress. It cannot have another agency giving it a subpriority rating. Fire service is a unique organization. No other single agency contributes more to its community. As I said at a previous public hearing, look into your own town and evaluate the fire department located there. Not only do they supply fire suppression and fire prevention, but also emergency medical services, rescue services and special services. Now the special services include youth programs, first aid classes. fire brigade training in private industry. Now, this past year we had a fire officers' conference in Wallingford. Governor Grasso spoke at it, and I'd like to quote, just for a short part here: "The members of your profession are to be commended, not only for development of the proposal, but for following through to make sure it became law. And last year it was my privilege to sign it to law, Public Act 75-617, which created the Commission on Fire Prevention and Control." So for the first time, you have a state agency devoted to the problems you face in your own chosen profession. And here we are a year later now, and we're trying to remove it. with National Fire Prevention and Control Commission have been started. They realized some funding already. Director William Forbes of the State Commission gave a talk in Memphis, Tennessee at an International Society of Fire Service Instructors' Conference. All 50 states were at this conference. Many of the states represented wished that they, too, could have had the foresight to set up their own agency to deal directly with the NFPCA. If the Fire Commission is put another agency, it will become difficult to receive grants for funding. Thank you very much.

REPRESENTATIVE HENDEL: Thank you. Were you on that other list, too?

I think I'm last.

REPRESENTATIVE HENDEL: Would you identify yourself.

MR. WOLLEN: I'm Dick Wollen from the Connecticut Horse Council, and I would like to take just one minute of your time to say this. The Connecticut Horse Council is made up of 56 organizations with over 5,000 members in these clubs. We, as an organization, have gone on record as being against the changes recommended to the Department of Agriculture, and we also very, very seriously are dis-in favor of doing away with the Connecticut Equine Advisory Committee. This Committee works many, many hours to work with the Department of Agriculture and the legislature in horse problems,in humane problems, and future growth of the horse industry in Connecticut,

MR. WOLLEN: (CONTINUED) with the possibility of a race track becoming a reality. I won't take any more of your time, but my personal feeling is that if the whole 10 pages were deleted, it would be the best thing.

REPRESENTATIVE HENDEL: Thank you for sharing your views with us.

Senator Baker, Representative Hendel, I don't know what list I was on, but I was 16 years old when I entered the room, to give you an idea of how long I've been here. I'll...

REPRESENTATIVE HENDEL: Would you identify yourself for the record.

MR. SCHREIBER: My name is Richard Schreiber. I'm Chief of Research and Planning for the Connecticut Commission on the Deaf and Hearing Impaired. Please forgive me, but I have not had the opportunity to read the whole text of the omnibus bill on state government reorganization. Just by way of thumbing through, I am speaking briefly to LCO #7428, and I find that it inconsistent with the position taken, adopted and recommended by the Commission to the Joint Committee on Government Adminstration & Policy beginning with Section 21, line 458 and following. Previous testimony presented on behalf of the Commission made by Barbara Bracell, Executive Director, and by several of our commissioners. At one time I appeared before your group. I will not rehearse the facts presented then. They stand on their own merit, as to the number served, the disability given, the problems and needs...

Belt #16

of deaf persons in the state, and the important role of advocacy, the role and function, which by the way, I feel is dealt with imperfectly in the Filer Committee report. I thank you very much for your time. I wanted that note going on record, and I appreciate your giving me the opportunity to speak.

REPRESENTATIVE HENDEL: Thank you for reminding us of your position. It looks like this concludes our list and our non-list, and I declare the public hearing closed.

THE PERMANENT COMMISSION ON THE STATUS OF WOMEN SUPPORTS THE GENERAL GOALS OF THIS BILL TO MAKE STATE GOVERNMENT MORE EFFICIENT. HOWEVER, WE WOULD LIKE TO GO ON RECORD AS REQUESTING THAT THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES BE EXCLUDED FROM THE PROVISION OF SECTION 11, a, c, and d.

THE PCSW AND CHRO HAVE OVER THE PAST YEARS ESTABLISHED AND DEVELOPED AN EXCELLENT WORKING RELATIONSHIP. THIS RELATIONSHIP HAS BEEN FACILITATED IN NO SMALL PART BECAUSE OF THE CONTINUITY NOW EXISTING AT THE POLICY MAKING LEVEL DUE TO THE OVERLAPPING 5 YEAR TERMS OF THE COMMISSIONERS AND THE CONTINUITY PROVIDED BY THE PRESENT EXECUTIVE STAFF.

THE PRESENT LAW PROVIDES FOR THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES TO APPOINT THEIR DIRECTOR AND TO ELECT THEIR OWN CHAIR AND VICE CHAIR. IF CHRO IS TO EFFECTIVELY REMAIN A ATCHDOG AGENCY THEN IT MUST CONTINUE TO BE FREE OF POLITICAL PATRONAGE. IF CHRO IS TO CONTINUE TO AGGRESSIVELY AND ADAQUATELY DEAL WITH THE SENSITIVE AREAS OF CIVIL RIGHTS AND HUMAN RIGHTS FOR THE PEOPLE OF THIS STATE THEN IT MUST REMAIN AS AN AUTONAMOUS AGENCY FREE OF POLITICAL INTERFERENCE.

THE PCSW URGES THE GOV. ADMINISTRATION AND POLICY COMMITTEE TO EXCLUDE CHRO FROM SECTION 11, a,c, and d OF THE ACT CONCERNING THE RE-ORGANIZATION OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

RESPECTFULLY SUBMITTED

Beth Rawles

BETH RAWLES, CHAIRPERSON
PERMANENT COMMISSION ON THE
STATUS OF WOMEN

4/13/77

STATE OF CONNECTICUT

1168

COMMISSION ON FIRE PREVENTION AND CONTROL

294 COLONY STREET MERIDEN, CONNECTICUT 06450

TEL (203) 238-6587

April 7, 1977

The Honorable Wayne A. Baker, Chairman
Government Administration and Policy Committee
Connecticut General Assembly
State Capitol - Room 411
Hartford, Connecticut 06115

Dear Senator Baker:

In a regular meeting of the Commission on Fire Prevention and Control, held at Meriden on March 29, 1977 it was voted unanimously that the following statement of position be sent to the Government Administration and Policy Committee.

The Commission on Fire Prevention and Control was formed as a result of the demands of 21,000 paid and volunteer fire fighters in the State of Connecticut. This action was the result of the fire fighters' need for a coordinating State agency to provide support in the form of guidance, training standards and training on the local level.

The State Fire Fighter Training Program, handled initially by the State Board of Education, more recently by the Board of Trustees for State Technical Colleges, has never had adequate staff or sufficient designated funding to meet more than a small portion of the need. Disappointment with this arrangement was one of the factors which led the legislature to transfer the funding for this program to the Commission which reports directly to the Governor.

The Commission is representative of all major segments of the Fire Service including the Connecticut Fire Chiefs Association, the Connecticut Fire Department Instructors Association, the Connecticut State Firemen's Association, the Connecticut Fire Marshals Association, the Uniformed Fire Fighters of the International Association of Fire Fighters AFL-CIO, and the Connecticut Conference of Municipalities.

As a result of the Commission's efforts, for the first time Federal funding for the Fire Service has been granted in Connecticut by the National Fire Prevention and Control Administration. A major requirement for this funding and future funding is that the State have a single focal point representative of all participants in the State's Fire Service and the State Commission is recognized nationally as this focal point.

The members of the Commission are fearful that a major change in the position of the Commission in the State government will diminish its ability to provide the supportive services for paid and volunteer local fire departments that are looking to the Commission to fulfill its statutory responsibilities. These responsibilities include providing advice and assistance at minimal cost to improve the life and property protection provided by local fire departments.

In any reorganization, the Commission feels that it should play a distinct and major role and be in a position to voice the wishes of the Fire Service statewide. The Fire Service in Connecticut is different from any other State department in that it operates entirely on a local level. The Commission provides the single channel of communication from the smallest town to the Governor's office.

As representative of the State's 21,000 fire fighters and because this Commission is the voice through which those on the local level can be heard on the State level, the Commission strongly feels that in any reorganization of the State government the least that it can accept in good conscience is the ability to report directly to the Commissioner of a proposed Department of Public Safety. Anything less, the Commission feels, will be a dereliction of its duty to the paid and volunteer local fire departments throughout the State.

Sincerely,

William S. Porter

William S. Porter
State Fire Administrator

WSP:kb

Office of Chief V. Paul Leddy

1170

March 9, 1977

Representative Leonard B. Caplan
303 Belden Road
Hamden, Connecticut 06514

Dear Rep. Caplan:

According to various recent press releases, it seems quite evident that The Filer Plan to consolidate control over many State agencies, will not be enacted by the General Assembly this year.

I am pleased to hear this because I have some reservations about the encompassment aims of the overall plan as it pertains to the Fire Service in the State of Connecticut.

In recent years I have been one of the strongest proponents in the Fire Service to consolidate all of the related activities in connection with our profession under one organization or commission. I felt some degree of success had been achieved when the State Commission on Fire Prevention and Control was established. We in the Fire Service saw this as a very definite means to an end in finally getting recognition on a State level; this being similar to what the Police Service have had for so many many years past.

It would be a shame, now that our realization has been fulfilled, that the organization we have fought so hard to spawn, will now be arrogated or diluted in such a manner as to be a useless entity.

The press has also indicated that an official spokesman for the State Police Department opposes the recommendations of the Filer Committee on the basis that it would put an administrator of public safety between the Commissioner of State Police and the Governor.

At the same time, this same spokesman for the State Police Department, would have several so called related jobs brought under the State Fire Marshal's office, including the Commissioner of Fire Prevention and Control.

One of the chief reasons in the establishment of a State Commission of Fire Prevention and Control was to become recognized at State level with the eventual hope of coordinating all facets of the Fire Service. This would include fire prevention, fire codes, fire training and other related matters. It would bring about the establishment of a State Fire Academy which is sorely needed by the State's 30,000 firefighters.

In essence, the State Fire Administrator would enjoy the equivalency of the State Police Commissioner in administering all phases of fire service to the thousands of paid and volunteer firefighters in Connecticut.

I believe the time is here for the firefighter of the State of Connecticut to be the master of his own destiny.

I would greatly appreciate hearing your thoughts on this vital matter, and I stand ready to discuss any part of the text outlined above.

As the State Director of the New England Division-International Association of Fire Chiefs, member of the Arson Committee-International Association of Fire Chiefs, member of the Legislative Committee-Connecticut Fire Chief's Association, and member of several other fire related organizations, I believe my finger is on the pulse of National, State and local fire matters.

Please feel free to contact me at any time.

Respectfully submitted,

V. Paul Leddy

Chief, Hamden Fire Department

Copies of letters sent to:

Senator Lawrence DeNardis
790 Still Hill Road
Hamden, Conn. 06518

Senator Joseph P. Flynn
4 Fl hey Street Ext.
Ansonia, Conn. 06401

Representative Paul D. Abercrombie
37 Country Way
North Haven, Conn. 06473

Representative David K. Dodes
141 Centerbrook Road
Hamden, Conn. 06518

Representative Philip S. Robertson
837 Farmington Drive
Cheshire, Connecticut 06410

WARNACO WARNACO [illegible]
BRIDGEP[illegible]

OFFICE OF ASSISTANT [illegible]

1172

March 29, 1977

The Honorable Morag L. Vance
State Representative
53 Meadow Road
Trumbull, Connecticut 06611

Dear Mrs. Vance:

Warnaco supports the suggested changes in personnel proposed by the Filer Report. I thought you might be interested in a letter written by Cameron Clark, Jr., Vice Chairman of the Board, and have attached a copy.

Will you convey our support to other members of your committee?

Very truly yours,

Allen Finkenaur

AF:cek
Encl.

December 14, 1976

Mr. John H. Filer, Chairman
Committee on the Structure of State Government, Inc.
151 Farmington Avenue
Hartford, Connecticut 06156

Dear Mr. Filer:

The Filer Report does an admirable job of analyzing the need for restructuring State government and proposing ways to accomplish this. If a significant number of its recommendations can be implemented, the citizens and businesses of the State stand to benefit substantially through better and more economical government.

We are somewhat disappointed that the Report does not recommend zero-base budgeting, and we hope that this can perhaps be included in final consideration. We would also like to see the problem of professionalism and continuity in departmental management more closely addressed.

Even with a reorganization and consolidation down to 14 basic departments, the State government will still suffer an intrinsic weakness at the top if key department heads continue to be political appointess, often with little or no administrative experience. Like it or not, government has become big business. We must, therefore, look for the same kind of professionalism in the running of government that we would in the operation of a large corporation. This concept runs head on against the traditional partic gubernatorial political appointments. I point to no particular governor or party, but I think it is indisputable that our system creates tremendous pressures to satisfy political debts through appointments. This creates weakness at the top, no matter how well organized State departments may become.

A system of appointments through recommendations by professional and managerial groups would be one answer to the problem. In the case of the Criminal Justice Department, for instance, the State Bar Association might recommend five highly qualified individuals to head the department. The Governor and Legislature would then make their selection and

confirmation from this group. How this would affect the traditional party and patronage systems is a separate matter. There is no doubt in my mind, however, that this is a key question to be addressed in any program to modernize State government.

Again, we find the Filer Report an outstanding job. I hope our observations in this letter do not sound in any way like a negative reaction, but that they will be taken as constructive suggestions toward the frutiful implementation of its excellent recommendations.

Sincerely,

Cameron Clark, Jr.

CC/gee

CONNECTICUT FOREST AND PARK ASSOCIATION, INC.
P. O. BOX 389 1010 Main Street
EAST HARTFORD, CONNECTICUT 06108
(203)289-3637

1175

I am John B. Hibbard of 1072 Gilead Street, Hebron, Connecticut and I am employed as Secretary and Forester of the Connecticut Forest and Park Association, Inc., a citizen conservation organization founded in 1895 and with a current membership of some 2,300 individuals and groups.

GENERAL COMMENTS

I have not had the opportunity to review the so-called Omnibus Executive Reorganization Act of 1977 or proposed S. B. No. 357; therefore, I am not in a position to comment on it specifically.

I have read L. C. O. 7701, An Act Creating a Department of Environmental Protection and Agriculture, which I assume is intended to become a part of some omnibus reorganization act.

After making a quick review of the proposal, which in my opinion contains many defects as drafted, I am forced to conclude that it is entirely without merit. The points that this organization and others have continuously made before the Committee on the Organization of State Government (Filer Committee) on numerous occasions and before the Committee on Government Administration and Policy on March 31, 1977 have apparently fallen on deaf ears. The value of maintaining a separate Department of Agriculture as a viable component of state government has not yet been recognized; in addition, the final recommendations of the Filer Committee relative to the Connecticut Agricultural Experiment Station have been totally ignored. The persons who caused L. C. O. 7701 to be drafted apparently see no conflict with a research organization being associated with a regulatory agency, in spite of evidence to the contrary being readily available.

The drafters of L. C. O. 7701 apparently see no problem in adding substantial areas of new responsibility to the already beleaguered Department of Environmental Protection. The inadvisability of this action has again been pointed out to both the Filer Committee and the Committee on Government Administration and Policy in the specific proposal of adding the Connecticut Resources Recovery Authority (CRRA) to the Department of Environmental Protection. Why should it be any different with Agriculture? I submit that the Department of Environmental Protection is in no position to assume both the regulatory functions of the Department of Agriculture and the duties of promoting and fostering agriculture as a way of life for a substantial portion of the state's citizenry.

Do the persons responsible for the drafting of L. C. O. 7701 expect the Commissioner of Environmental Protection to assume the supervision of the 90 persons employed by the Department of Agriculture, personally? If this is the assumption,it has no merit whatsoever. The facts are that the Department of Environmental Protection is currently so large and diverse that the abilities of any human being are already taxed to the limit in looking after the business of the agency as it is currently structured. This factor alone should be sufficient reason to make the proposal contained in L. C. O. 7701 entirely unworkable.

The stated objectives of current proposals to reoragnize the structure of state government remain to provide effective and efficient service to the people of the state of Connecticut. The proposal contained in L. C. O. 7701 will in no way provide for the implementation of these objectives in any way, shape,or form. This proposal will only add confusion, frustration, and discouragement to both the consumer and the farmer as they try to get answers to their many questions.

CONCLUSION

I would hope that the Committee on Government Administration and Policy would finally see merit in retaining the current Department of Agriculture as an efficient agency of state government and that it would not substantially add to the functions of the current Department of Environmental Protection. I would also hope that the Committee on Government Administration and Policy would follow the proposed recommendations of the Committee on the Structure of State Government (Filer Committee) to retain the Connecticut Agricultural Experiment Station as a separate agency reporting to the Governor through the Executive Office of the Governor.

I am appreciative of this opportunity to present these thoughts to the Committee.

Respectfully submitted,

John E. Hibbard

John E. Hibbard
Secretary-Forester

My name is Ann Crimmins. I am a resident of West Suffield. I am Assistant State Co-ordinator of Conn. National Organization for Women. I am speaking tonight on behalf of Conn. NOW. My testimony is in regards to the "Executive Reorganization Act of 1977."

While NOW supports in principle the bill being considered, we feel that the Commission on Human Rights & Opportunities must be specifically excluded from Section 11 A, C, D. As written now, the Governor would designate the Director & Chairperson of CHRO, virtually destroying the political autonomy the Commission has today. It would also eliminate the present overlapping of Commission members' terms, upsetting the continuity ~~& effectiveness~~ the Commission now has.

The State of Conn. has a long history of leadership in the area of civil rights. The State's legislative record affects & reflects this proud fact.

~~a~~ mark of pride which must be preserved is ~~the~~ political autonomy of Conn's Commission on Human Rights + Opportunities.

The CHROC, a quasi-~~judiciary~~ judicial civil rights law enforcement agency, will maintain its effectiveness best if it is kept free from the threat of payoffs, political manipulation, and unnecessary constant change.

I now sympathizes with this attempt to streamline state government, but it must not be at the expense of impartial civil rights law enforcement in our state.

Thank you.

Please include in Transcript

1179

STATE OF CONNECTICUT

CONNECTICUT STATE LIBRARY

231 CAPITOL AVENUE • HARTFORD, CONNECTICUT 06115

STATE LIBRARY BOARD

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Stamford

Mark R. Shedd
West Hartford

April 12, 1977

To: Committee on Government Administration and Policy

From: Elinor M. Hashim, Chairman, State Library Board

Elinor M. Hashim

Subject: Proposed Bill No. 357
"An Act Concerning the Executive Reorganization Act of 1977"

On behalf of the State Library Board, I wish to protest strongly the proposed transfer of the State Library from the Executive Office of the Governor to the Department of Education.

The State Library serves all segments of Connecticut's population, regardless of age or status, either directly or indirectly. It is a special library serving the General Assembly; it is a library serving those interested in history and genealogy; it is a library for the blind and physically handicapped; it is a depository library for U.S. government documents; it is a museum of Connecticut history; it administers the system of law libraries, and it provides service to state agencies and institutions. Through its Division of Library Development it operates the Interlibrary Loan Center, two library service centers (Willimantic and Middletown), and provides consultants to public libraries in various fields. None of its functions seem to fit as part of the Department of Education, and we urge you to reconsider this proposal. The Filer Committee's report seemed to us to deal sensibly with the problem of the State Library's responsibility and we request that its recommendations be honored. It appears that a lack of understanding regarding the State Library's functions has contributed to this proposed reorganization, and I do hope this clarifies the situation. The State Librarian and the State Library Board are available, of course, to discuss this in further detail if you wish.

STATE OF CONNECTICUT

STATE LIBRARY

Office of the
State Librarian

231 CAPITOL AVENUE · HARTFORD, CONNECTICUT 06115

AREA C-D-203
TEL. 566-4192
566-4301

1180

April 12, 1977

To: Committee on Government Administration and Policy

Re: Proposed Bill No. 357
"An Act Concerning the Executive Reorganization Act of 1977"

I have been informed by a member of the Committee's staff that it is the Committee's present plan to place the State Library within the Department of Education as a part of its recommended reorganization of the Executive Department.

On the one hand, I strongly resent the fact that the Committee failed to advise me or any member of the State Library Board that such action was being contemplated. I am told that a hearing encompassing this proposal was held on March 28, but notice of this hearing in the Legislative Bulletin made no mention of the Library.

On the other, I wish to protest the planned incorporation of the State Library within the Department of Education, even if only for administrative purposes. The two agencies have nothing in common except that each employs books and other media in providing its services. The State Library has for its primary clientele the adult, post-college, segment of the community, including the entirety of state government. The Department of Education is concerned only with the school child. A whole generation separates the two levels of activity. Only if all of the state's educational responsibilities were to be consolidated into a supreme educational monolith (school, college, university, and library, as in New York State) would it be justifiable to place these otherwise disparate agencies under a common head. And this, it is obvious, your Committee does not plan to do.

The "Filer Committee" recognized the fact that the State Library and the Department of Education were disparate agencies. That Committee recommended the placement of the State Library within the Executive Office of the Governor, wherein it could, in large measure, retain its autonomy and continue to serve state government, the courts, and the adult citizens of the community at large. I am told that "the Governor doesn't want it there." My respect for the Governor is profound, yet I feel in this instance that she errs.

I strongly urge that your Committee overrule the Governor's wishes in this one seemingly small respect. The Executive Office of the Governor is the only logical remaining place into which to incorporate the Library.

Respectfully,

Charles E. Funk, Jr.

Charles E. Funk, Jr.
State Librarian

CEF:B

1181

Walgren Tree Experts, Inc.

Conn. Tree License No. 143
TEL. 288-1629
Established 1926

April 11, 1977

Government Administration & Policy Committee
General Assembly
State Capitol
Hartford, Connecticut 06115

Re: Bill #7701
Connecticut Agricultural Experiment Station

Dear Sirs:

As a past president of the National Arborist Association, as well as the Connecticut Tree Protective Association I have personal knowledge of the great respect and admiration which the Connecticut Agricultural Experiment Station commands across our great country.

The station has earned this reputation through years of independent research carried on by dedicated scientists and unexcelled leadership. It would be a tremendous loss, indeed, a tragedy, to see this great institution tossed into the oblivion of political bureaucracy.

Please, I urge you to give careful consideration to the action you take on this bill, and, I hope, for the good of all, you will preserve the autonomy of the Connecticut Agricultural Experiment Station.

Sincerely,

Paul R. Walgren

Paul R. Walgren.

April 11,1977 1182

I am John Lyman, Jr., a fruit grower from Middlefield, Conn. I am also perturbed, even incensed, at what I perceive to be another example of a poorly conceived, whimsical, and impractical legislation ~~move~~. If our elected representatives were but guided by a rudimentary standard of commonsense, half or more of the bills introduced in each session, of which the bill being heard tonight is one, would not see the light of day, and the time saved thereby could be spent in rectifying past mistakesand avoiding new ones. Terminating the Department of Agriculture and undercutting the autonomy of the Conn. Agricultural Experiment Station serve no useful purpose and can only be called mischievous. There's been no demonstration that service will be improved at less cost or that either farmers or consumers will benefit by such a restructuring. On the contrary, there is every reason to believe that the direct opposite will be the result, and,as we all know from experience, once government makes a mistake, it is rarely admitted and corrected, but is compounded with the addition of insult to original injury. It is imperative that the mistake not be made in the first place.

The Department of Agriculture has served the citizens of our state efficiently and well. I believe that one of the impressions noted by the members of the Filer Commission was that the cost/benefit ratio of the Department was very ~~high~~ favorable. Unfortunately, the worth of agriculture to the state is being ~~judged~~ measured by the number of farmers remaining. It may come as a surprise to many, but the food we consume daily is not manufactured in the back rooms of the supermarkets. A very large percentage still comes from Connecticut's farms, and we should all thank God that it does. If agriculture is made the orphan child of such a large, unwieldy super agency such as the Department of Environmental Protection now is, you will not only set the stage for the demise of our state's agriculture, but also insure that no comprehensive and efficient environmental ~~policy~~ program ever evolves. That is not to say that the Departments of Agriculture and Environmental Protection are in conflict. On the contrary, they are much in concert. But there is just so much that one department of government can do efficiently and well. HUDand HEW at the federal level should be example enough. Conn. agriculture is a viable and worthy contributor to our state's

economy and standard of living. It gives more than it demands in return. It deserves to be recognized in the future, as it has in the past, with a separate and necessary Dept. of Agriculture.

In addressing the Filer Commission at one of its preliminary hearings I spoke to the need of protecting the autonomy of the Conn. Agricultural Experiment Station as follows: "Although agriculturally oriented its work directly effects the quality of life of all of our citizens. Its ability to attract the superior scientific intellects which inevitably lead to new and exciting discoveries depends upon its autonomy. I for one cannot imagine men like Dr. Philip Garman, Dr. Ernest Stoddard, or Dr. Philip Jones being attracted to an Experiment Station in the position of sibling to a Dept. of Environmental Protection." This and similar testimony must have had some effect for the final draft of the Commission's report did provide for retention of the Station's autonomy. With this bill you propose to perpetrate this injustice. It can only be viewed as another step in the pursuit of mediocrity, the ultimate goal, it would seem, of all governmental endeavor.

Change for the sake of change is to be avoided. There are problems enough today without a deliberate attempt to create more. Let the Department of Agriculture continue to function well for the benefit of all of our citizens. Retain the independence of the Conn. Agricultural Experiment Station so that it might add to its impressive list of scientific achievements which have so benefited mankind and added luster to our state.

John Lyons Jr.