

Legislative History for Connecticut Act

SB 9	June 13 sp. sess PA 1	1951
Sen. 20-25	(sep. section at end of transcripts)	6
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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1951
SPECIAL SESSION

VOL. 4

The Senate
6.13.1951

Senate Bill No. 8.

The President: Will you remark further on the bill? The Senator from the Second.

Senator Borden: I heartily am in agreement with this bill. These men report 2 1/2 hours a day. It might seem a short period to have these men retire after serving for 20 years. But, if we figure up the hours they serve, we would find maybe it would equal more than forty years' retirement. Now, these men work very very hard. They are very courteous; they are doing a godd job, and I think the State of Connecticut has the finest police force in the country. Maybe they do once in awhile give us a ticket for speeding. But that is a small thing. It is a pleasure to get a ticket from them. I feel that this bill should pass as it is a very good measure,-good legislation. (Laughter)

The President: The question is on passage of the bill. Will you remark further? All in favor say aye, contrary minds no. The bill is passed.

The Clerk: SENATE BILL NO. 9 - CONCERNING CIVIL DEFENSE.

The President: The Senator from the Twenty-first.

Senator Leipner: Mr. President and members of the circle, this is a case of least resistance. This is the reason why all the members of the circle are here; to reenact civil defense legislation. I would like to get the record clear on this matter. It is very important that the people of this state know what occurred. I hesitate to think that the people of this state know what occurred. I hesitate to think that the people know exactly what occurred, especially after the Governor's address after the General Assembly adjourned, when the Governor said that

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"due to the confusion in the closing hours of the general assembly the Civil Defense bill was not passed." I would like to make the record clear and concise on that point. It was not due to any confusion which existed as far as the Senate was concerned. As a matter of fact this legislation was passed in this Chamber on May 28th last; three days before that the Hartford Courant stated that the Civil Defense bill or the legislation then on the state's books was going to terminate on June 30th. So that even then, if the Governor and his leadership in the House did not know what was being done in the House, I am sure by reading the papers they would have discovered the bill had not passed in the House. Certainly it was the Governor's duty - it is he who signs every bill before it becomes law - he should have known the facts. And, knowing the facts, he should have known that he had not signed the Civil Defense bill which was passed in the Senate; and he should have seen to it that it had become the law before adjournment last week Wednesday night at 12:00 o'clock. That is the record. That is just what happened. I am not here to accuse anyone. But certainly the people are entitled to know that it was not due to any confusion in this Senate chamber. Now, we are being asked to pass the same bill by the Republican majority in the House as we have already passed for Civil Defense. It is the same bill we are going to pass here this afternoon, the same bill that the Clerk read. We passed that on May 28th. If the onus is on anyone, on the part of anyone, let those who are responsible for it have enough courtesy and decency to say that the mistake was made by them; but please don't blame it on the Senate. I think it was in

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bad taste for the Chief Executive of our state the very night after adjournment to go on the radio and television and mislead the people of this state. I say that it was not necessary for him to call this special session to enact civil defense legislation due to the confusion of the last few hours. He has made remarks that are not true concerning the calling of the special session. This is not of our own choosing. It is not the choosing of the democratic party, of the democratic majority. We have worked hard and sincerely and conscientiously during the entire regular session. We have cooperated; we have compromised for the benefit of the people of the state. It was not of our choosing that we were called back here today. It was not due to any mistake or deliberate act on our part. I say that in all fairness to us that the confusion created by others should be cleared up. In my letter to the governor, I told him we were ready and willing to enact civil defense legislation. We wanted him to know that we would respect his suggestions, but we also stated to him that the director of civil defense should have been on his toes, should have watched carefully over the program which affected the entire structure of his own department, irrespective of the fact it was the duty of the republican leadership to see that the bill passed in the House. It was his duty to watch over this legislation before the expiration of the old act, to see whether or not he was still the director of civil defense and whether his department was to be a non-existent agency. We have heard that the director of civil defense issued a statement attacking some of the democratic leaders, stating that while he was working, serving

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his country some of the democratic leaders were enjoying the prosperity of the state - that while the director of civil defense was performing his duties for his country, these democratic leaders were not so engaged. For myself, and I know of no one in the democratic party who has ever uttered one word against the General or his record, or that he did not serve his country with distinction and valor, performing his duties as a great American. But that is only one side of the question. The other side is whether or not he is capable, competent and qualified to protect the very existence and lives of the people of this state as Civil Defense director. While it has been suggested that we would not enact any Civil Defense legislation here unless he were removed, let me say that is not so. We feel that the responsibility for his continuance in office rests with no one but the chief executive of this state. If the governor feels that he has found him to be a responsible, competent and qualified director of the civil defense, - if he feels that in this capacity he is capable of protecting the lives and existence of the people of this state, then it is for him to decide whether or not he continues in office this person whom he has chosen. This bill, Mr. President, contains all the provisions and in detail is the very bill which we passed on May 28th; but because of the fact that the previous legislation was terminated on June 30th it is no longer on our books, we must reenact today the same legislation, - a bill which contains the same provisions as the bill which we passed on May 28th. You are all familiar with the provisions of the bill. I hope the bill passes, Mr. President.

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The President: The Senator from the Twenty-second.

Senator Herman: Mr. President and members of the circle, I would like to say that I, too, hope this bill will pass, as I assume it will. I could supplement the remarks as made by the Senator from the Twenty-first by saying that this bringing us back into special session will cost around \$6,000, in order to do something that might have been done before the closing of the regular session. While we are here we ought to pass a bill appropriating the \$6,000- to show what this act of incompetence is really going to cost the taxpayers.

The President: Will you remark further? The Senator from the Fifth.

Senator Hall: Mr. President, I am sure that everyone of us in the circle feels as badly about having to be called back as the gentlemen who have spoken previously. However, it is a fact that it could have happened to them as it has happened to us. Everyone as far as the republican leadership goes knows that the democratic senate was not responsible for the failure of the legislature to act. The record is clear. The Senate enacted this legislation and somewhere along the line it was mislaid between the Senate and the House, and so the House failed to act. It is unfortunate. I agree with many of the statements that have been made by the two previous speakers; but I feel that nothing can be accomplished by talking about it any more. As I have said, it is unfortunate. I congratulate the members of the majority for their cooperation and willingness to go along and enact this civil defense bill, which will clear the way for the continuance

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of the program; and I hope we can complete our duties here within a reasonable time.

Senator Borden: I wish the governor had taken some lessons from the Senator from the Fifth - (interrupted by the President.)

The President: The Senator will please direct his remarks to the Chair and confine his remarks to this particular bill.

Senator Borden: Mr. President, this is a civil defense bill and the governor should have made his remarks in his radio speech along the line of what the Senator from the Fifth has said. If the Senator from the Fifth had heard that speech maybe he wouldn't have said what he said. (Laughter.)

The President: Will you remark further? All in favor say aye, contrary minded no. It is a vote. The bill is passed.

The Clerk: SENATE BILL NO. 10 - Validating Appropriations made for the Office of Civil Defense.

The President: The Senator from the Twenty-second.

Senator Herman: Mr. President, members of the circle, this bill validates the previous legislation that we have enacted. It is necessary to do this in order to make the proper authorization to this department. I hope the bill will pass.

The President: Will you remark further on this bill? All those in favor say aye, contrary minded no. It is a vote. The bill is passed. There is no further business on the Clerk's desk, gentlemen. The Senator from the Twenty-first.

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HOUSE

PROCEEDINGS
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June 13, 1951
Special Session
also included

those in favor of the Resolution will say "aye"; those opposed, "no". The resolution is adopted.

House Resolution No. 2 "Resolution expressing the Sympathy of the House on the Death of Mrs. Dell Sturges of Redding." Resolution was discussed by Mrs. Schroeder of Redding and Mr. Lemaire of Norwalk. Mrs. Schroeder of Redding move adoption of the Resolution and passage which motion prevailed without dissent and the Resolution was passed.

THE SPEAKER:

The Chair will appoint the same Judiciary Committee as formerly, which served during the general session as the Judiciary Committee, for the Purpose of this Special Session.

MR. DICHTER (STAMFORD):

I now move, sir, that we recess until 2:15.

THE SPEAKER:

Question is on recess until 2:15. Those in favor will say "aye"; those opposed, "no". Recess is ordered until 2:15.

AFTER RECESS: Time 3:05 P.M.

THE SPEAKER:

The House will be in order please.

THE CLERK:

Business from the Calendar. Senate Bill 9 "An Act concerning Civil Defense."

MR. DICHTER (STAMFORD):

I move you sir for suspension of the rules to consider this bill.

THE SPEAKER:

Question is on suspension of the rules. Those in favor will say "aye"; those opposed, "no". Rules are suspended.

MR. DICHTER (STAMFORD):

Mr. Speaker, I now move passage of the bill.

THE SPEAKER:

Question is on passage of the bill in concurrence with the Senate. Will you remark?

MR. DICHTER (STAMFORD):

This bill is the Civil Defense Bill, is the reenactment of Public Act No. 4 which expired on June 1, 1951. This bill contains all the changes that the Senate file 3 included. This bill provides for a limitation on civil defense where the situation does not result from hostile enemy action. In other words, acts of God, catastrophes are not included. This bill sets up an office of Civil Defense for the Civil Defense director appointed by the Governor and the Civil Defense Advisory Committee. This advisory committee as provided in this bill which is identical with senate bill 3 I would like to read that portion: The Governor shall appoint two members on the Civil Defense council which shall represent industry and shall be selected from a list submitted by the Connecticut Chamber of Commerce and the Connecticut Manufacturers Association; two members of the Council shall represent organized labor and shall be selected by a list submitted by the Federation of Labor and ..(not clearly heard). council. Your House originally felt and still feels that this is not a good measure. This provision, we didn't think that should be governed by a group by any group that any council such as a Civil Defense Council ought not be curtailed in its membership other than representing groups of general parties and not coming from any special organization. The House version of this bill, House Bill 1314 did not contain this provision but in order to provide a Civil defense law we had too many in agreement to go along with that.

Now in addition, this bill provides for validating all the acts of the Civil Defense Director and his employees from June 1, 1951 until the effective date of this act. There is a long story

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on what happened as everybody here knows. I think that what we've got is a workable bill. It is not perfect. This is not the one I hoped we could pass but taking all the phases of the situation as it is and as it exists, I hope, sir, that this bill will pass.

THE SPEAKER:

Any further remarks?

MR. LABELLE (MANCHESTER):

I would like to say first that the bill that is before us is the bill that was agreed upon in the Special Session of 1950 when the Civil Defense Act was first adopted. At that time the expiration date of June 1, 1951 was included. At that the expiration date was included because the Republican leadership in the House of Representatives in the last General Assembly insisted upon it. They insisted upon it because they were afraid that perhaps Governor Bowles might be re-elected and they might not have anything to say about the office. So the things they did came back to haunt them. June 1, 1951 has come and gone and all of a sudden on June 7 the things we did in the Special Session came back to haunt us. I say "us" by that it's an editorial "us". I mean the Republican party. There was an editorial in the Hartford Courant, I believe it was last Saturday morning concerning this matter and I think the title of it was "Something Went Amiss". In the course of that editorial which was a short terse one, it was stated with respect to General Heskell, "General, what did you think the rest of the commissioners of the State of Connecticut were doing around capitol Hill when the legislature was in session? They weren't talking about the weather." It seems to me that of all people in the State of Connecticut that ought to know whether or not his department had expired it should have been General Heskell, of all people on June 1, 1951 he ought to know whether or not he was going to be paid the next day. I can say if I had a \$10,000 a year job with the State of Connecticut I certainly would have known

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whether or not my salary was going to be paid tomorrow. I think that this is a prime example of the incompetence of the Director of Civil Defense Department. I can think of no greater accusation against the man who heads that Department than the fact that this is what happened when his own department expired out from under him. But General Heskil is new to the State of Connecticut. Some of these things perhaps aren't familiar to him. He perhaps was not familiar with our legislative process on Capitol Hill here. He may not have been familiar with some of the duties of his office. He had five months to become familiar with it but perhaps he hasn't. Just where does the blame rest? Just where does it rest? Who else is responsible for this confusion? For this error? For this inefficiency? It seems to me it is not the House of Representatives that's responsible. I think that the leadership of this House is not charged with the duty of seeing that everybody's bill is passed and I don't think that there is any intimation that the leaders of this House were responsible for this bill not passing. I don't think any member of this House on either side is responsible for that bill not passing and I don't think anyone should make that charge. If they do they are not speaking the truth. I say the responsibility rests in the Governor's office. He is charged with the responsibility and this is the thing the people ought to know, whether or not the department was continued in existence. In order that the bill could become law on June 1 the Governor certainly should have signed it and he ought to know whether he had or had not. This bill was not anything anyone knew about. On June 3 in the Hartford Courant was a story about a speech the Governor had made before and the story was continued to page 2 in the Hartford Courant and at the top of the column on page 2 were the big words "Lodge" and right side of that was a blocked story in the most conspicuous place in the Hartford Courant which was a little

story that said the Civil Defense Department has now expired, that it expired on June 1 and the Senate had passed a bill on May 28 and it had not been acted upon in the House and the House was expected to take action on Monday morning. That was Monday June 4. There was no secret to this. Everybody in the State of Connecticut apparently knew about it except the ones concerned and charged with the responsibility of knowing it. That is why we are here today. That is why this extra expense and then to top it off, the Governor went on the air on Thursday, the day after this General Assembly adjourned, when he knew this bill had not been passed and he said the bill was lost in the confusion of the last hours of this General Assembly. That was not true. This bill was not lost in the confusion of the last hours of this General Assembly. This Department went out of existence six days before that and everybody in the State is charged with the responsibility of knowing it or they should have known it went out of existence and I say it is the greatest charge of incompetence that can be made against that department and the Governor's office. And I say it's pretty nearly time the Governor checks upon his administrative duties and checks upon the people he appoints. The Democratic party has urged that General Heskil be removed from this office. We have not insisted upon that in this bill. That's the Governor's responsibility but the situation exists that General Heskil has not carried out his duties properly and that his own office has not been properly operated. I say the responsibility rests squarely with Silent John Lodge and I think the appellation might be included "Silent and ..(not clear).. John."

MR. DICHTER (STAMFORD):

Mr. Speaker, I was amazed and quite shocked at the statement of the General from Manchester. There are times when no one, no party, no person ever has done everything he is supposed to do and I recall a special session not too long ago when we came back

to take care of an error in that bonding bill - that was during the term of the then Governor Bowles but that man never lost an opportunity for political recriminations. Frankly, the matter/^{that}stands out that is most important is the question of Civil Defense itself. It must go on. It has to go on and without any question in the minds of any of us. We have got to knuckle down and see that it is carried out effectively. I am not going to defend General Heskell or Governor Lodge. They do not need defense. Everybody knows what happens the last few days in the legislature. There are others who are going to stand up and talk on the subject but I want to say here we have got to pass the legislation that we came here to pass. The Democratic party will of course try to make capital over what has happened but they can't get away from this one thing that there is ⁱⁿ sincerity on the part of these people here to see that a good job is accomplished and that/^{insincerity} goes from top to bottom.

MR. LAING (WINDSOR):

I am very sorry to hear the Gentleman from Stamford talk about the sincerity of people here. I think everybody in the House today wants to make sure that this Civilian Defense bill goes through. The last session is over and done with. Unfortunately, some things that should have been done were not done. I think the thing that impresses most of us, and the people of the State of Connecticut, is the fact that not only the 46 employees of this Department are worried about what are they going to do for the next paycheck, but 169 towns in the State are all wondering what they are going to do about Civilian Defense. I am sure that the Gentleman from Stamford really did not mean what he said. We are here today to pass this bill and I am sure the people on this side of the House will go along with its passage.

MR. LEMAIRE (NORWALK):

I think it is too bad that our friends across the aisle have

taken this opportunity to vent their spleen on a man like General Heskil. I don't know whether the House knows anything about the General. He certainly is not a politician. He certainly does not know his way around the House. Perhaps he should be a politician and not a soldier or a civil defense director. That's the way the Democratic party would like to have it. He is doing a swell job. I would like to read you just a few things about the General because I think it is something that should be placed into the record. General Heskil is a graduate of the Massachusetts Institute of Technology. He goes to the Post of Civil Defense Director with a record of 32 years in the United States Army. During World War I he served with the first American anti-aircraft unit in France. In World War II he served in the India, Burma China theatre and during the interim he has had administrative positions in the army both here and abroad. During World War II he also commanded the anti-aircraft defense of England. I think anyone who has served in as important military posts as has the General knows his way around and knows how to set up defense. I trust, Mr. Speaker, that there will not be any further remarks made about General Heskil.

MR. BAUER (AVON):

I would just like to ask what are the primary sections of Connecticut which are likely to be involved in case of hostile bombing? Obviously, they are of course the large cities that are concentrated industrial centers. Now if the people on our left want to inquire as to who might have been responsible for the oversight, I should like to ask them where the representatives from the large Democratic cities were? Why didn't someone consider the interests of his constituents and raise the question somewhere along the line, "What has happened to that bill?"

MR. MAHENEY (WATERBURY):

I must take exception to the Gentleman who just rose. I come from a Democratic city of Waterbury. I have been on this appropriation committee for a great number of years, 14 years. I have nothing against the General, but I would like to give you a resume of this in my humble way. I recall back in '35, '37, '39, '41, '43 and '45. This is a political football. I do not think anyone should question a man who has served in the army with the fine record of this man. I say stop talking and vote for the bill.

MR. YESUKIEWICZ (ENFIELD):

Insofar as General Heskil is concerned, I feel that he has acted in the true American tradition which has been that the military will always be divorced from politics in this country and if there has been a political mistake made here it shouldn't be laid at the General's door as far as I am concerned. I feel we are too anxious to pass the blame to other departments and to other people. After all, the bill did pass the Senate and it came down here in the House and that didn't pass here. Therefore, I think the blame lies right here and I feel also that Governor Lodge was right in saying at the closing of the session what he did about special sessions and unnecessary expense. I feel the blame is here and the situation was created in this House and the expense has been created in this House and it could have been avoided if the leadership had been watchful. I hope the bill will pass.

MR. RICHTER (ANSONIA):

Since the bill before us is one to determine whether or not we will have a civil defense program continued I move the previous question.

MR. LABELLE (MANCHESTER):

Point of order, Mr. Speaker.

THE SPEAKER:

State your point of order.

MR. LABELLE (MANCHESTER):

He has spoken on the bill and can't move the previous question.

MR. RICHTER (ANSONIA):

I did not debate the bill. I merely expressed an opinion.

MR. LABELLE (MANCHESTER):

He made his remarks the first thing.

THE SPEAKER:

I have ruled in the past that anybody who talks on a bill in any fashion could not move the previous question.

MR. COHEN (ELLINGTON):

I would like to move the previous question.

THE SPEAKER:

Question is on the previous question. Those in favor will say "aye"; those opposed, "no". The previous question is ordered.

Question is on passage of the bill. Those in favor will say "aye"; those opposed, "no". The bill is adopted.

THE CLERK:

Senate Bill. ^{No. 10} "An Act concerning Validating an Appropriation Made to the Office of Civil Defense."

(The Clerk read the bill.)

MR. DICHTER (STAMFORD):

I move for suspension of the rules to consider this bill.

THE SPEAKER:

Question is on suspension of the rules. Those in favor will say "aye"; those opposed, "no". Rules are suspended.

MR. DICHTER (STAMFORD):

The bill is self-explanatory. It provides for funds for the Department of Civil Defense and the 2nd section takes care of the provisions made.

MR. LABELLE (MANCHESTER):

Suffice it to say that my remarks on the bill we just passed