

SB 761

PA 821

1971

House 6118-6121

Senate 2966

GAP 46,49,400,403-409,416-425

Total: 25

H-120

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 13
5555-6226**

Wednesday, June 9, 1971 110A.

favor indicate by saying "aye". Opposed. The Bill is passed.

EFH

Does the gentleman from the 78th have further business to direct our attention to?

JOHN F. PAPANDREA:

On Page 13, Mr. Speaker, Calendar item No. 1628.

MR. SPEAKER:

Representative Donnelly, from the 46th, after the Clerk calls the Bill.

THE CLERK:

Calendar No. 1628, substitute for S.B. No. 761, an Act concerning Regional Councils of Government, File No. 1510.

THOMAS J. DONNELLY:

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

MR. SPEAKER:

Will you remark.

THOMAS J. DONNELLY:

Will the Clerk please read Senate Amendment Schedule "A".

MR. SPEAKER:

The Clerk call Senate "A", which is not listed in the title of the Bill.

THOMAS J. DONNELLY:

I may be in error, Mr. Speaker. Does the Clerk have an Amendment? Evidently not. I'm looking at the wrong Calendar item. Mr. Speaker, I would remark on the Bill.

MR. SPEAKER:

Wednesday, June 9, 1971 111A

Please proceed.

EFH

THOMAS J. DONNELLY:

Mr. Speaker, the Bill in our file is enabling legislation which would permit towns to associate themselves into Regional Councils of Governments, or...and/or...to permit those organizations where they already exist to merge with Regional Planning Agencies with which I think we are all familiar. The statute would require, if enacted, that the towns, 60% of the towns, in a given region, would have to elect by vote of the legislative bodies of each such member town, to so associate themselves or so merge, and I think it's important to point out, Mr. Speaker, that in Section 3 this Bill provides for voting within such bodies on a one-town, one-vote principle.

MR. SPEAKER:

The gentleman from the 46th has the floor.

THOMAS J. DONNELLY:

I think that the Bill is well-constructed and needed, and I urge it to the favorable recommendation of all of our Members, and I move passage.

MR. SPEAKER:

Further remarks on the Bill.

MARILYN PEARSON:

Mr. Speaker. Thank you, Mr. Speaker. I've read the Bill very carefully quite a few times. I...it is drafted very well, but I do oppose the merger of one uncontrolled organization with another uncontrolled organization to form a super-size uncontrolled bureaucratic structure. I think that everyone has felt safe now,

Wednesday, June 9, 1971 112A.

because the towns have had an out whenever they've wanted to with this particular type of regional planning and with our councils as they are now set up. The program will be expanded and financed more and more by the State and Federal funds. I think it's going to be harder and harder to remove from your town if it cares to. I just merely mention this with caution, because I'm concerned about forming this type of an organization. It may work out very nicely. I think, in my opinion, it could be a forerunner to regional government, which I think we should watch very carefully. Of course, this has been denied by the people in support of the Bill, but I do say that we should watch the Bill and be very careful of what we are doing. Thank you, Mr. Speaker.

EFH

MR. SPEAKER:

Further remarks.

THOMAS J. DONNELLY:

Yes, Mr. Speaker, for the second time and very briefly. Thank you, sir. The concerns that Mrs. Pearson has enunciated I think are best answered by the terms of the Bill itself, which provide, among other things, that member towns may, by the same type of vote as the vote by which they joined, they may withdraw. Further, I would like to point out to her, in particular, the matter I mentioned earlier and that is that...what was it?

MR. SPEAKER:

Quite a patch.

THOMAS J. DONNELLY:

...that it's a one-town, one-vote principle, Marilyn. I urge adoption, Mr. Speaker.

Wednesday, June 9, 1971 113A.

MR. SPEAKER:

All those in favor indicate by saying "aye". Opposed.
The Bill is passed.

CARL R. AJELLO, JR.:

Mr. Speaker, at this time I'd like to move on Page 11, Calendar No. 1601, Substitute for H.B. No. 5962. I move suspension of the rules for immediate transmittal of this item to the Senate.

MR. SPEAKER:

Would the gentleman call it again for the benefit of the Clerks, please?

CARL R. AJELLO, JR.:

Yes, sir. On Page 11, that's all of the fingers on both hands and one more. Calendar No. 1601, fourth from the top, Substitute for H.B. No. 5962. The motion is for immediate transmittal to the Senate.

MR. SPEAKER:

Is there objection to suspension of the rules? Hearing none, the rules are suspended. Is there objection to transmittal? Hearing none, the Bill indicated is transmitted to the Senate.

CARL R. AJELLO, JR.:

Mr. Speaker, directing the Clerk now to Page 18, Disagreeing Actions. Calendar No. 999, Substitute for H.B. No. 6511.

THE CLERK:

Calendar No. 999, Substitute for H.B. No. 6511, an Act concerning the definition of podiatry. As amended by Senate Amendment Schedule "A".

CARL R. AJELLO, JR.:

EFH

S-82
CONNECTICUT
GENERAL ASSEMBLY

SENATE

PROCEEDINGS
1971

VOL. 14
PART 7
2874-3413

June 5, 1971

Page 5

SENATOR CALDWELL:

On page 1, Cal. 1134, 568; on page 5, C L. 1047; on page 6, Cal. 1067; on page 7, Cal. 1110, 1116; on page 8, Cal. 1131, 1133; on page 11, Cal. 1159 page 12, Cal. 1160, 1164, 1165, 1168, 1169; I might point out that that Calendar is currently marked Banks and should be the Liquor Committee; on page 13, Cal. 1170, 1171, 1179; page 14, Cal. 1182; on page 17, Cal. 1208; on page 23, Cal. 919, on page 26, Cal. 327; on page 28, Cal 491; on page 30 Cal. 664; on page 31, Cal. 733; on page 14, I omitted one, that we might take up, Mr. President, and that is Cal. 1181. SB1017, SB808, SB1187, SB1837, SB584, SB839, SB1787, SB592, SB890, SB337, SB1836, HB5190, SB1588, SB31, SB1828, SB988, SB1139

THE CHAIR: SB1836, HB5190, SB1588, SB31, SB1828, SB988, SB1139

Is there any objection to the motions recommended by the Majority Leader for suspension of the rules on any single starred or no starred items and for the passage of all bills, as described by him? If not, the motions are granted, said bills are declared passed.

SENATOR CALDWELL:

Mr. President, I had a request from the Chairman of the General Law Committee, to remove one of those that I had placed on the Consent Motion, so I withdraw my motion with respect to that particular matter, it's on page 28, top of the page, Cal. No. 491.

THE CHAIR:

I don't think it's necessary to go through the proceeding of reconsideration. The motion is to withdraw the approval of that bill from the consnt list, if there is no objection. So ordered. That bill is not passed.

SENATOR CALDWELL:

Now, may we take up the following matters? On page 2, Cal. 665, recomit 765, take up 788; on page 3, take up Cal. 851, 858, 865, 925, and 929; on

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
&
POLICY**

**PART 1
1-333**

**1971
Index**

GOVERNMENTAL ADMINISTRATION AND POLICY

WEDNESDAY

MARCH 3, 1971

In closing I would just hope that you would bring out an unfavorable report in this bill and make me a good deal younger. Thank you.

Chairman Neiditz:

If there are no other legislators who wish to be heard on any of the bills, it's my intention to go back to H.B. 5091 which we had most of the early testimony on and then go from there. I think take two bills up together, H.B. 6204 and S.B. 176. I think some of the speakers might wish to speak to both of those subject matter being somewhat similar. Anyone else wish to be heard in favor of H.B. 5091?

John Greene:

Mrs. Curtis, gentlemen, my name is John Greene, I'm a consulting engineer in the city of Danbury, Connecticut. I am here to speak in favor of H.B. 5091. In addition to being the town engineer in two of these communities, I'm also the planning director for the Housatonic Area Council of Elected Officials.

I'd like to give a brief history of Regional Planning in our area. From Chapter 127 was first proposed several of the communities in our area took to town meeting to question joining the regional plan. This was rejected by the electorate. In Newtown for example four to one, in Ridgefield seven to one.

As an alternate to Chapter 127, the Regional Planning Concept, a council of elected officials was formed and this was unanimously endorsed by six of the seven member towns in the region.

We have in fact during the past two years prepared a regional plan. This regional plan has been accepted by the Tri-State Transportation Agency. It has been reviewed by the Connecticut Planning Agency and has been accepted as the regional plan of our area. This is fact, this is proven to be a very workable agency and I urge favorable consideration of this bill. Thank you.

Chairman Neiditz:

Thank you very much sir. There are other people who have signed the list that they wished to speak.

Dana Hanson:

Mr. Chairman, members of the committee, my name is Dana Hanson, I'm director of the Capitol Region of Council of Governments. I'm here before you to alert you to the fact that the Council of Governments is sponsored with the Capitol Regional Planning Agency has prepared a S.B. 761. I'm here as the director of Council of Governments speaking concerning this bill as it relates to another, S.B. 761 introduced by Sen. Rome and Sen. Alfano concerning consolidation of councils of elected officials in planning agencies and in regions where both exists or in regions where none exists.

I would only like to point out that most of the language in the H.B. 5091 generally meets with the approval of the elected officials because we've been attempting to get state and federal

GOVERNMENTAL ADMINISTRATION AND POLICY

WEDNESDAY

MARCH 3, 1971

We generally favor legislation which would permit financial aid to regional councils of elected officials when there is agreement in a region that a RCEO should do regional planning and provided the aid is to be devoted to regional planning purposes. By establishing this approach, all regions of the state would be treated equally with regard to regional planning assistance whether they have a RPA or a RCEO. This bill does not provide for local approval of the RCEO adding the planning function nor does it limit aid to regional planning purposes.

We should also note that state assistance is now made available to regional planning agencies under Section 4-124 (b) a of the 1969 Supplement to the General Statutes and we feel it is this section which would have to be amended rather than 32-7 to meet the desires of this bill.

Questions regarding regional planning and regional councils of elected officials also extend to regions which have both a RPA and a RCEO. H.B. 7643 "AN ACT CONCERNING REGIONAL PLANNING AGENCIES AND REGIONAL COUNCILS OF ELECTED OFFICIALS" has been introduced by title. It is planned to work with the sponsors to provide comprehensive enabling legislation which would allow a RCEO to take on regional planning functions and receive state aid. It is also intended to allow the merger of RPAs and RCEOs in regions having both, if desired. However, it would establish procedures to be followed which we believe would be desirable.

Your attention is also directed to S.B. 761, "AN ACT CONCERNING REGIONAL COUNCILS OF GOVERNMENT," which would allow establishment of a council of governments that could assume the functions of a regional planning agency and a regional council of elected officials.

We would respectfully urge joint consideration of all of these bills with the aim of achieving legislation which is widely applicable. We would be happy to work with you on this matter.

Chairman Neiditz:

Thank you very much sir. As far as my sheet is concerned all of the proponents have been heard.

Charles Parks:

Mr. Chairman, members of the Governmental Administration and Policy Committee, my name is Charles Parks, I'm chairman of the Greater Bridgeport Regional Planning Agency and I'm speaking as an individual. However, I have talked with many other people on this subject. I'm appearing against this H.B. 5091.

I have been connected with planning for some ten years myself. I was chairman of the Fairfield Town Planning Zone and Commission for eight. I'm now chairman of the Bridgeport Regional Planning Agency and I've been on that board for four or five years and chairman three.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
&
POLICY**

**PART 2
334-634**

1971

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

It's an awfully important function to give to the State Auditors who are Legislative employees. If we are to carry out the purpose intent of bills enacted by the General Assembly, it's another step toward modernizing the Legislature because we are then making sure that state agencies do what we intend they do. And with annual sessions if we find through performance audit that they are not carrying out our intent, we can make the necessary changes.

I'll file this statement which goes into more detail with the clerk of the committee. Thank you Mr. Chairman.

Sen. Rome:

I'm here to speak longer than I perhaps should but because of the significance of the bill, long enough on A.B. 761. I have a substitute here with some copies for the committee that I'd like to file. I'd like to point out the distinction between the substitute and the original, the basic distinctions. The basic distinction of this Regional Council bill, 761 substitute is that the substitute provides that the representation be on a one town per one man or one man per one town basis, i.e. unit representation. When I originally filed the bill, it was my hope that we could achieve unit representation but I filed the bill on behalf of the two agencies involved, as an anticipated compromise bill. They have not reached agreement upon the compromise and I feel very strongly that it ought to be in a regional voluntary operation, a one unit by unit representation.

Let me say that this is a misunderstood bill. There are opponents to this bill who feel that the merger of the Planning Agency in the Regional Council is a step toward Regional Government. Quite the contrary is true, this bill if it could be phrased or termed in any specific way, I would be the antithesis of Regional Government.

This bill is designed to promote decent planning through the cooperation and under the guidelines set by the individuals at local level, the chief elected officials of each of the communities involved in each of the regions. As a result of their direct involvement, the planning would be more meaningful, it would have their participation and understanding during the development and if in fact there was an ultimate plan developed in any respect, that kind of planning would have more opportunity to be implemented.

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

S.B.118 AN ACT ESTABLISHING THE TIME LIMIT FOR THE REPORT OF THE PORT AUTHORITY STUDY COMMISSION. Anyone to speak for or against this bill?

S.B.212 AN ACT CONCERNING THE ESTABLISHMENT OF A STATE ATHLETIC COMMISSION. Anyone here to speak for or against this bill?

From the speakers list I find the first number on the list is S.B.760.

Jeremiah Wadsworth: I'm Jeremiah Wadsworth, Chairman of the Farmington Town Council also Chairman of the Capitol Region Council of Governments.

I appear today for two bills, S.B.760 and S.B.761 and I would express myself to both of them, if I may. I will read the following statement in support of S.B. 760:

I support S.B.760 which would provide state financial assistance to regional drug information centers. I am speaking as a local elected official and as the Chairman of the Capitol Region Council of Governments which represents the chief elected officials in the Greater Hartford area.

In response to a greater awareness of the problem of drug abuse in our communities, we created in 1969 a Task Force on Narcotics and Dangerous Drugs to take a comprehensive look at the problem and to suggest more effective strategies and programs. The Task Force membership consisted of a broad cross section of disciplines and agencies in the public and private sector and at all levels of government.

One of the greatest needs identified by this Task Force was the need for factual information on drug abuse. People who wanted information found it difficult to obtain or not available and people who needed information were not receiving it. Much of the information obtainable was non-factual and often tended to conflict and become confusing. There was a need for factual information for example, on the effects of drug abuse, how to cope with it as a community problem and where to secure counseling treatment and rehabilitation services.

Another great need identified by this Task Force was for coordination of efforts and programs in order to more

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

effectively utilize resources, provide a greater range of services and to reach a greater number of people. The Task Force observed that a number of different groups in communities were mobilizing and organizing drug programs, each unaware of what the other was doing. The proliferation of fragmented programs confused people and diffused efforts to the point that the Capitol Region could not effectively address itself to its drug problems.

On the basis of these identified needs, this broad based and multi-disciplinal Task Force recommended the establishment of a regional drug information center to act as a coordinating agency for drug programs in the local communities. This center was established and became operational in June, 1970 with primary emphasis focused on working with on-going community systems and agencies by supporting their efforts with supplementary assistance. The Drug Center with a full-time staff and voluminous resource materials provides services in the area of education, youth activities, community organization and public information and counseling and referral of drug abusers. The heart of this Drug Center is a representative in each of the towns, appointed by the chief elected official, who serves as the coordinator in his town for requests for Drug Center services and assistance. This process helps assure that drug programs will be coordinated and unified in scope and content.

The elected officials of the Capitol Region feel strongly that regional information centers are the key to maintaining on-going coordinated and effective programs to combat the problem of drug abuse. This view is shared not only by us, but such statewide organizations and agencies as the Connecticut Education Association, the State Drug Advisory Council, the Alcohol and Drug Dependence Division of the Department of Mental Health. The National Institute of Mental Health and the National Clearinghouse for Drug Abuse Information has singled out the Capitol Region Drug Information Center as a prototype coordinating agency for drug abuse education and information and have designed it as one of five programs throughout the country as a computer terminal for the retrieval of information from their vast data storage banks.

The Capitol Region Council of Governments strongly supports the passage of S.B.760 as a means of providing coordinated programs of drug education and information throughout the state.

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

As I start to talk about H.B. 761, I just would bring the committee up-to-date on the Capitol Region Council of Governments. It is an organization formed six years ago, members of which are twenty nine towns in the Capitol Region, twenty five of which belong to the Capitol Region of Governments, it use to be The Council of Elected Officials. It's a non-political or bipartisan organization and we have worked in the areas of the Regional Crime Squad in addition to the Drug Center. It has been in operation going on two years. The Regional Drug Information Center, as I mentioned, we have a mass transit study going on in cooperation and funded by the federal government, partially. We have solid waste and re-cycling programs under consideration at the present time, in addition to data process systems and others.

Those towns that belong to the Capitol Region Council of Governments formed to cooperate with other towns and areas that they cannot do so well themselves. Those programs we get into are of mutual benefit both to all the towns and this is why we exist. This organization does not exist as a group in favor of metropolitan government or any form or more formal type government, at least I am opposed to metropolitan type government. On the other hand, I am highly in favor of towns cooperating together to do those things which they cannot do so well themselves. By doing them together, it's more money saving for our taxpayers.

I'd like to appear in favor of Substitute Bill 761 as introduced by Senator Rome and Senator Alfano, I believe, because it would make enjoying the Capitol Region of Governments and the Capitol Region Agency together a more efficient and effective organization in our region.

I believe also, that this would form help in other regions of the state for the Council of Elected Officials and the Regional Planning Agencies to join together to work together more closely on the regions problems.

I believe that Senator Rome spoke about more favorable implementation or planning for those things in which we might need action immediately or within a reasonable length of time, so that we would be implementing those things in which funds were being spent for planning. I think in this that implementation planning would not be assured, each member town would still have to ex-cent by both of their legislative body in referendum

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

for capitol funds and though to participate in any one of these plans that are off both through planning by the RPA and also by vote of the members of the Regional Council. This is as we have worked together in cooperation for our mutual benefit and this is as we would hope that it would always remain.

Through the outlook on this legislation as being evolutionary toward metropolitan government, I think I spoke to that a moment ago.

Our Director's Director recently returned from the National Conference of Regional Council of Governments in New Orleans and all of over this country the Regional Council of Governments are being formed as voluntary cooperative programs that meet together for deriving programs of mutual benefit to their communities. The mutual need is the initiating force behind the formation of the Regional Council of Governments. This was our intent when we started out six years ago and it was our intent under both Senator Rome and Comptroller Agostinelli who is the immediate Past Chairman of the Council.

I'd just like to add to that most of the things in this bill, though it's very long bill. Without going over all the measures in that, I would like to speak to the fact that it allows a year for the consolidation of the Regional Council of Governments and the Regional Planning Agency. And in that, most of the structure of the organization, the bylaws and merger agreements could be worked out between the two organizations rather than being included in the state law. I think that this is another idea on this new substitute bill.

I just speak in favor of this bill that it's an enabling legislation that would allow the Capitol Region Planning Agency and the Capitol Region of Council of Governments to consolidate for the benefit and the better use of both state and federal and local funds in the carrying out of these regional programs. Thank you Mr. Chairman.

Sen. Crafts: Any questions to Mr. Wadsworth?

Sen. Hammer: This bill looks as though it's for everybody, the whole state and yet, but you keep speaking about two groups, now what two groups are they?

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

J. Wadsworth: I speak for the Capitol Region Council of Governments here in Hartford County, formerly Hartford County and the Capitol Region Planning Agency. This enabling legislation, hopefully was drawn up that it would allow, in any region of the state where elected officials, groups and planning agencies wanted to consolidate together, they could. Also, the present enabling legislation for Regional Planning Agencies or Council of Governments allows them to exist separately. So each region would have their own decision on whether or not they would like to consolidate together.

Sen. Hammer: How do you fit in with the Metropolitan District?

J. Wadsworth: I believe that the Metropolitan District Commission is a separately, separate statute, it's a public utility, a separate organization. There are not part of our organization though we do work with them on, consult with them on different problems in the area.

Sen. Crafts: Thank you Mr. Wadsworth. Other persons speaking to S.B.760, Walter Stewart.

Walter Stewart: Executive Director of the Capitol Region Drug Information Center - I'm here to distribute some information, some of the materials that do go out of the existing Capitol Region Drug Information Center and I will leave these for the committee.

I'd like to fill in, for the committee, what kinds of activities Drug Information Centers can do and what kinds import they can have. Today, before coming over here, we had conferred with twenty seven people by phone, talked to some nine people in person and received request for materials and information from fifty people by mail. This is the kind of activity that has been generated in about ten short months at the Capitol Region Drug Information Center.

We deal with eight hundred and fifty thousand people which is roughly a third of the states' territory. We supply them with films which are shared by twenty nine school systems. We supply them with educational materials which are shared by, again, the twenty nine school systems who deal with public information agencies or public organizations who are coming in for materials and which are going out with some very factual kinds of materials. We have developed a library of both films

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

audio-visual materials and we have been able to screen and see that the materials that go out are somewhat adequate kinds of materials. We have helped with and one of the groups that we were an assistance to this morning was the Planning Committee of the State of Connecticut who came over to develop a plan and a program and were looking for material and information on how they could develop that on an evaluation program for the Corrections and Mental Health Department.

In addition, we have acted as an agency locating facilities within the community, identifying them and trying to pull them together in a coordinated fashion.

I obviously speak in support of S.B.760 so that funding for this type of operation can be made available and shared with the communities on a very economic level. Thank you very much.

Sen. Crafts: Thank you Mr. Stewart. Any questions?

Sen. Hammer: What is the State Drug Advisory Council?

Walter Stewart: The State Drug Advisory Council, as it's composed today, is a group of people appointed by the Governor, it takes into account most of the operating agencies within the state, the commissioners of those agencies within the state that deal with drugs, such as the commissioner of Mental Health, commissioner of Corrections, chief Judge of the circuit court.

It also takes into account a number of citizens within the community who are representative of a community at-large. These people speak to and attempt to coordinate activities between the State Departments in and around the problems of drug abuse and drug use in the state.

Sen. Dowd: (inaudible - speaking away from microphone)

Walter Stewart: For this purpose, the Capitol Region Drug Information Center is funded by a private foundation grant from the Hartford Foundation For Public Giving. This was a seed money grant which would help us to begin to operate. We operate out of that grant with some four people on a full-time basis, that's highly inadequate for the amount of people and the kinds of work that we have to do. And in answer, there are not public funds.

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

- Sen. Dowd: My question is, are local Drug Advisory Councils being funded with state funds at this time?
- Walter Stewart: Not to my knowledge sir.
- Sen. Hammer: I was at a meeting with these people from the New England Regional Council, federal people, and they had a lot to say about funds being available to the state for drug programs. (part of speech inaudible - speaking away from microphones) You don't get federal funds, do you?
- Walter Stewart: Well, I understand that's it's possible that federal funds can be obtained by various agencies. Yes, but we do not, at the present time, get them and as far as availability, up until the present time, they have not been available to agencies such as this.
- Sen. Hammer: But you think that the State Drug Advisory Council will be trying to coordinate and bring these funds in?
- Walter Stewart: I would see a structure Senator, which would indicate the State Drug Advisory Council which I understand has a bill before the Legislature, or has recommended a bill to be know as the Drug Coordinating Council which would be composed a little differently than it is now. I think that bill is 1688 or 1288, and that bill they would attempt to function on this level of dividing up federal funds in an equitable fashion between things. In coordinating this kind of activity, I would see the continuation of that in our type of council on a regional basis.
- Sen. Hammer: You would think that new organization might take the place?
- Walter Stewart: I understand their recommendation is that the State Drug Advisory Council re-compose itself with some changes as the Drug Coordinating Council and that this would then have statewide responsibility and again I would say, I would see something like the Drug Information Center in Hartford being a Regional component of that type of development.
- Sen. Crafts: Thank you very much.
- N. Agostinelli: Comptroller - Mr. Chairman, members of the committee, I'm here to speak before you in regards to three bills.

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

to go far beyond financial auditing if we get involved with evaluation to the performance of the Executive Branch. The idea is that this is just an additional means of permitting the Legislative Branch to hold the Executive Accountant.

Sen. Crafts: We will proceed with S.B.761.

Robert Goodrich: Chairman of Glastonbury Town Council and Glastonbury's Representative on the Capitol Regional Council of Government - The Glastonbury Town Council unanimously approved a resolution supporting the proposed merger of the Capitol Regional Council of Government and the Capitol Regional Planning Area provided, however, that the enabling Legislation introduced in the General Assembly, is in accordance with Senator Rome's amended bill and that the bylaws of the new Capitol Regional Council of Government reflect the spirit and intension and purpose of the proposed merger.

I'd like to read briefly some notes concerning the changes from the original proposed act which you have before you:

Section 1D, the words "directly and separately elected" were added to distinguish a strong Mayor or Selectman from a member of a common Council elected by his fellow Councilmen as the ceremonial head of government. It was felt that there should be the option left to Town Councils to send someone other than the ceremonial head of government if that official was already over-burdened with other duties. In this way the work of Councilmen could be spread around more equally and it might insure better participation among the Towns. Section 2 on Page 2, the provisions for withdrawal were amended to read the same as they are now in effect under the Council of governments.

This of course, is an opportunity for any town to remove themselves from this group that they so desire.

Section 3, which Senator Rome spoke to briefly, is the proportional representation removed so that each town will have one vote and one member on the Council.

Section 4B, Page 4, is the language requiring cooperation etc. was removed as being unnecessary in an Enabling Act. This was an administrative type of thing and not certainl, to be referred to in a state enabling act.

Section 4B, Sub-Section IV, language requiring that all active programs of all bodies be automatically assumed

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

changed to allow some discretion to avoid duplication of programs and staff. The new organization should not be locked into prior programs which may or may not be unnecessary.

Section 6, membership on Regional Planning Commission. Language here changed to make it clear that RPC is a sub-division of the Council. Also, the same membership on RPC as on Council should be one member from each town. In those towns where Planning and Zoning members are appointed then the legislative body or customary appointing authority should appoint the member of the Planning and Zoning Commission as the town representative to the RPC. In those towns where the Planning and Zoning Commission members are elected, then the Planning and Zoning Commission may appoint such representative.

Provision for the automatic approval of plans was deleted. The bylaws of the Council may provide for a mandatory review procedure of plans by the Council within a certain period of time. However, there should not be an automatic approval of plans provided for in the Enabling Legislation. Procedures for review may be recommended by the RPC and adopted by the Council.

Section 7, Staff for the Merged Organization. References to dual lines of authority and to separate staffs have been deleted. There should be but one Executive Director and one staff with assignments within that staff to arms of the merged organization. The Enabling Legislation should not lock in both staffs nor is there any need such as in Section 8, Page 8 for a Grandfather Clause for the CRPA staff.

Generally, the changes made in the original Enabling Act submitted to the Legislature are minimal and absolutely necessary if the merged organization is to have a chance to fulfill the purposes of merger, that is, savings in staff, efficiency of organization and effective operation.

The one man - one vote principal does not apply to either the Council or to the RPC and there should therefore not be any proportional representation on either branch.

It may very well be that all programs presently being carried on will be continued but this should not be something that is locked in by legislation. By the same token, it may very well be that all members of both staffs will be required for the new merged organization, but

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

again, this should not be a matter of legislation.

At least the staffs ought to be reorganized with one Director and one staff so that there will not be dual or confusing lines of responsibility and authority.

In conclusion, I think certainly, we in Glastonbury, think that it makes sense. Here we have two groups operating separately at the present time and affective in their own way. The Planning group that is making plans for the Capitol Regional Area and the Council of Governments that is an implementing group, and certainly to join them together would make for a more affective total organization, in the same way that we in our towns and cities have planning commissions for the Legislative Body and have to implement the plans that they propose. And I see a very close similarity in this respect in regard to these two groups.

So we would very strongly recommend that this Enabling Legislation be available to us to merge these two groups in a Capitol Region or any other Region in the state where it would seem to be appropriate.

Sen. Crafts: Thank you Mr. Goodrich. Any questions? Nina Parker, for the record, Nina Parker testifies that she's in favor S.B.761 as amended.

Blaine Lewis: Mr. Chairman, members of the committee, my name is Blaine Lewis, I'm also a member of the Glastonbury Town Council.

It's my opinion, based on my experience as a council member and as a rather close observer of these two regional organizations, that this bill, substitute S.B. 761 as introduced by Senator Rome and term the Glastonbury compromise merits your favorable consideration and I will not presume upon your time, I'd be merely repeating what many of the previous speakers, including Chairman Goodrich and Senator Rome have said, however, if you have any questions, I'd be pleased to answer them.

Sen. Crafts: Thank you very much Mr. Lewis.

Robert Brown: I'm the Planning Director of the Capitol Regional Planning Agency and I'm here to speak on S.B.761 which provides for the consolidation of Regional Councils of Elected Officials and Regional Planning Agencies.

You've heard so far from the Elected Officials, particularly from the Capitol Region Group and I would like now

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

to present to you the viewpoint of at least one regional planning agency, the Capitol Regional Planning Agency.

The full membership of CRPA at a regular meeting on March 18, voted 18 to 16 to support S.B.761 which means they supported the concept of a consolidation of the two organizations. I think it's obvious that an 18 to 16 vote was not a clear mandate, on the other hand, I think it's significant that a majority of the members did approve the consolidation because in effect, CRPA would be giving away its autonomy to a body made up of elected officials, if this consolidation should occur.

In reviewing S.B.761, there were several questions and concerns that came up and the 18 to 16 vote included three proposed amendments that the Regional Planning Agency hoped would be included in this bill. These amendments were first of all, that the policy body of this consolidated organization should be composed of one elected official from each town -- not a weighed vote as was originally provided. Second, that the membership of the Regional Planning Commission, which really would be the -- what the Regional Planning Agency would be involved into, should have the same number of members that the Regional Planning Agency now has. In the case of the Capitol Regional Planning Agency, that would be a potentially sixty eight representatives from twenty nine towns.

Finally, there was some concern expressed on the part of the members of the Regional Planning Agency, whether or not the giving the elected officials complete control over the Regional Planning budget -- whether this was, in fact, raising the possibility that the Regional Planning programs could be stopped entirely. So there was a suggestion that there should be some means whereby funds received for Regional Planning purposes would be put in a Regional Planning fund to be spent at the discretion of the Regional Planning Commission.

Now I might add that the amendments submitted to you today by Senator Rome were not available to us before today. Some of them are inconsistent with the matters that were voted by the Regional Planning Agency on March 18th. I would also like to add that the Regional Planning Agency has decided to study the proposals a little bit further and we are currently conducting a written pole of the sixty odd members of the Regional Planning Agency for some other possibilities that we

THURSDAY

APRIL 1, 1971

could suggest to you. We will be prepared to submit a written statement to you probably within two weeks as to any follow up and we will comment at that time on the further amendments submitted by Senator Rome today.

Sen. Crafts: I'm wondering if two weeks from now is soon enough. Could you possibly have these proposals to us earlier than that?

Robert Brown: We gave the members until Friday, until tomorrow to respond to this written ballot, as to put it into the mail, so we won't have them all before, probably Monday or Tuesday of next week. I think it will take us a few days to analysis and get it to you. Maybe by the end of next week, which I guess is a week rather than two weeks.

Sen. Crafts: That sounds better, we are running against the clock here in the things we are trying to accomplish, so the sooner the better. Any questions from the committee?

Robert Keating: Mr. Chairman, members of the committee, I'm speaking against this S.B.761.

My name is Robert P. Keating, a resident of Woodbury and the Chairman of the Central Naugatuck Valley Regional Planning Agency. On March 10, I attended a meeting of the Regional Planning Agency Council. The Council is composed of representatives of all the Regional Planning Agencies in Connecticut. At that meeting it was the consensus of the Council that S.B. 761, as well as certain other bills relating to regional planning, represented poor legislation and should be opposed. I strongly support that consensus.

I feel that the effect of S.B.761 is to place too much regional planning power directly in the hands of chief elected officials of the towns in the regions, officials who do and should put the interests of their respective towns ahead of possible intertown and regional planning decision conflicts. It is my opinion that there is, therefore, a built-in, anti-regional planning bias in S.B.761, in what purportedly is a bill to foster regional planning.

My presentation today is consistent with a policy statement adopted by our Agency on February 11, in which we stated that our Agency opposed the consolidation of regional planning agencies and regional councils of elected officials. Our reasoning was that planning should be carried out by an agency specifically oriented to long

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

regional planning. That agency is the existing Regional Planning Agency.

Sen. Crafts: Any member of the committee have any questions?

Charles Parks: Mr. Chairman, members of the committee, my name is Charles H. Parks, Southport, Connecticut, Chairman of the Greater Bridgeport Regional Planning Agency and Acting Chairman of the Regional Council of or Planning Regional Council.

I've had some seventeen years of experience in planning and zoning work. I was a member of the Fairfield Town Plan and Zoning Commission for ten years and I've been a member of the Regional Planning Agency for seven years. I have spent a great deal of time and effort in this thing and I would like to appear against this bill S.B. 761 for the following reasons: One, I feel that vesting the powers of planning in a Council of Elected Officials that is as limited as this bill, is very unwise. I believe that are a great many people, former members of town planning and zoning commissions, ex-public officials of one kind or another, ex-legislature who would be disbarred according to the copy of this bill that I have. I believe that this should be left open and I do not feel that elected officials have the time to do this kind of job. I've talked to some of them and I do not feel that an elected official is a good person to do planning because of political pressures and because of the fact that when election time comes up they may be sort of in a lame-duck session and therefore, there are not going to stick their neck out on controversial planning.

At the meeting of the Council we discussed this very thoroughly and I wish to give you a copy, for the record, of the letter that I was asked, as Acting Chairman, to send to all of the local Regional Planning Agencies. This has been sent out and this expresses, near as I could, the consensus of the group that was there. Now there were six of the Councils that were elected and a great many of -- pardon me, there were six Chairmen there and they were also staff from a great many others, I don't know just how many. The feeling seemed to be unanimous in opposition to this legislation.

I believe that in any form of government, you've got to have a system of government with checks and balances and when both the power to plan and the power to implement it be given in one group, I don't think that you

THURSDAY

APRIL 1, 1971

have a proper series of checks and balances. For example, when some critical planning comes up, if you have the elected officials, and incidentally, you'll see in that letter we are thoroughly in favor of Councils of Elected Officials being strengthened. They are in an excellent position to carry the acts out and do the implementation based on a plan that somebody else has proposed. Now, if after this is done, there is opposition and there is law suits and so forth, it seems to me that if this gets into the law courts that the planning work is going to be on a lot more firmer grounds if it has the support of two separate entities rather than just one. If you have a planning commission that says, "Yes this is a good thing", and then you have a council of elected officials that says, "Yes this is a good thing, we want to do it", I certainly think that any judge would give this very very serious consideration. Without this you can have conflict and a very weak case. I believe that checks and balances are essential. Also for those who are in opposition to something, if they go to the same group that have proposed it, I don't think there going to -- that is that are trying to implement it, I don't think it's going to fall on very ready ears if it's all combined in one.

Here in Connecticut, we believe, very strongly, in the home rule and in selling regional planning to agencies, one of the things we've had to overcome over the years, is the threat of regional government. In this statement of purpose here, it says "To provide for consolidated planning and implementing bodies". This is coming pretty close to regional government and I believe that this would be objected to very seriously, particularly by the smaller communities.

One of the things that we have tried to keep very very clear in all of the agencies, as far as I know, is that we are a planning agency only. We do not do the implementation, we don't zone like a zoning board, we're only the planning arm and I think you can do a much better job that way than if we try to get wrapped up in implementation.

Also, I think it's very confusing, within the same state, to have two different ways to arrive at regional planning. I believe the original legislation was sound and I believe it should be left that way. With the possible exception that it might be wise to do some arithmetic and check the method of representation and possibly some of the problem such as we've had in the Danbury Region, could be cleared up if we change the basis of representation to make it a little nearer to a one man one vote.

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

My suggestion would be that we hold off for the present time on this legislation and further study the legislation itself and the methods of representation. We should also at the same time try to strengthen regional planning by supporting it and also strengthen regional councils of elected officials. If we can get the two groups working together toward the same end, I think we will have a much better form of legislation than this proposed bill.

Sen. Crafts: Thank you Mr. Parks. Are there others here who would speak to S.B.761?

William Maher: Mr. Chairman, my name is William Maher, I'm First Selectman of the town of East Granby and a member of the Capitol Region Council of Elected Officials.

I would like to go on record as being opposed to the legislation now before you both in its original and amended form. I would like to sight several reasons why I am opposed to it. Many of them fall in the line of the reasons given by Mr. Parks, just preceding me.

I for one having been a member of a planning agency in my own community which operated on its own, separate from the executive branch, believes this is the best way for planning to be done, out in the open but without political control that goes up and down with each election. I am very much afraid that if you combine the planning functions and the council of governments functions, you're going to go up and down in your planning as the political mood changes. Can you imagine which town would plan-in low cost housing into their town and which plan would say, will not take any industry, "You can put the low cost housing in our town". It just won't work politically, I think you have to look at planning objectively and many times unfortunately, we elected officials cannot do that because of the political pressures brought to bear.

Now I'd like to say something about the procedures. At the last Council of Governments meeting in which there were approximately sixteen members present, this is the Capitol Region Council of Governments, a vote was taken in attempt to approve the legislation and to support the legislation here before you in its printed form. This was rejected by the Council of Governments in this area. Further, all the amendments particularly shown in the legislation that has now been proposed, were also rejected. I believe that this has happened in the last few days, I think we're going to

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 1, 1971

get in a squabble between the CRPA and the Capitol Region Council of Governments because of the switch-a-roo that's been played. As I understand it, the original legislation proposed, was agreed upon by both the -- at least the administrative officers of the two counterparts and it was submitted to each body for their approval. The CRPA approved it but only by a narrow margin. The Council of Governments never did approve it. I think that we should stand back and look at where we're going with this type of legislation. I don't agree with it, I have some reservations, everybody says that it's okay to put in one vote per town and it's okay that will be approved by the courts if it's ever challenged because we're a voluntary organization. Well it seems many times that these voluntary organizations get to become organizations of fact and of authority, especially where elected officials are involved. As soon as this happens, this one town, one vote can go out the window so fast that it would make every official in this area turn his head around backwards. I don't believe that this is the way to go about it. I don't believe that there is a need for the merger, I do believe that both organizations could cut their budgets without any question. There could be a lot more realistic approach from both sides than there is today.

Sen. Crafts: Thank you very much.

Otto Newman: First Selectman, town of Granby - I would like to speak in favor of S.B.761 for the purpose -- my reasons for doing so really revolve around the fact that in Connecticut the municipalities are bound and can only work within the statutes of what is allowed under state law.

The passage of this type of legislation which would authorize municipalities to do something which they may want to do only gives them the option to do so. The decision to do so is still voluntary among the towns and if the majority of the towns do feel that this is a desirable thing to do, without legislation on the books, there is no way for them to affectively get together and work out their problems. It is voluntary in a sense that belonging is by decision of the individual towns and withdrawal is a decision by the individual towns. I would certainly hope that legislation would be on the books to allow the towns to be somewhat innovative and perhaps we could work out solutions to ours problems, as it works in our area and as it works in other areas of the state. No one is

THURSDAY

APRIL 1, 1971

forced by this legislation to be a part of this type of organization. The decision still rests with the towns and I hope that the Legislature would see fit to open-up alternatives for the towns to take voluntary action if they wanted to, something they can't do now or even if they would like to.

Sen. Crafts: I find no other names in the list of speakers for S.B.761 so we'll move on to the next numerical bill which appears to be H.B.5855.

Robert Turton: Mr. Chairman, members of the committee, my name is Robert Turton, residing in Meriden, Connecticut and I am Executive Secretary to the Connecticut Road Builders Association located here in Hartford.

I am appearing today in behalf of the Connecticut Road Builders Association to urge strong support of H.B. 5855 introduced by Representative Hogan of the 177th District.

This bill would eliminate retainage withheld from contractors performing contract work for the State of Connecticut.

Under article 1.09.06 of the Standard Specifications of the Bureau of Highways, for construction of roads and bridges, 10% of the value of the work completed shall be retained by the Department until after completion of the contract.

It is possible when 50% of the work of any specified contract is completed that interim estimates may be paid in full.

Upon the completion of 95% of the contract, the contractor may request that a reduction of this retainage be made, however, not less than 2% of the contract price may be withheld until the satisfactory completion of the work.

For illustration purposes let us assume a contract amount of five million dollars running over a period of twenty four months. Ten percent of the dollar value of the work performed is withheld until 50% of the contract is completed - a total of two hundred and fifty thousand dollars, which amount can be withheld until 95% of the contract is completed. At which time the contractor may ask for a reduction of this two hundred and fifty thousand dollar amount. In no event may less than one hundred thousand dollars be