

Legislative History for Connecticut Act

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ENVIRONMENT

PART 2  
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1971

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THE ESTABLISHMENT OF A DEPARTMENT OF THE ENVIRONMENT WITHIN THE  
EXECUTIVE BRANCH OF THE STATE OF CONNECTICUT.

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Sen. Pac Presiding

Committee Members Present: Senators Gunthers, Cashman, Eddy.

Representatives: Ciampi, Lavine, Matthews, Platt, Clark, Locke, Tiffany, Hogan, Ryan, Iwanicki.

Sen. Pac: Good Morning. We will begin the public hearing of our Environment Committee. The subject matter of course your familiar with will just include the council of environmental quality or a department. Whether we can make these two concepts compatible or incompatible. This is the question that we're trying to resolve, whether we can have this thing implemented as a corporate body, or perhaps a separate entity. I don't know, as this is the purpose of the hearing. If you sign these sheets, we'll have the legislators speak first, and after legislators, the public portion will begin.

Rep. Orcutt, 100th District from Guilford: I'm speaking in opposition to Substitute Bill H.B.8695. Gentleman, I have had a great deal of time to review this bill. In looking at the bill, which creates a strong department of environment, I think that it goes much too far, and much too fast. I think it is too comprehensive to be generated and passed by this Session of Legislature. I would earnestly request that you consider a more modest approach, perhaps along the lines of a council approach initially, so that we can have a longer period of time to study the matter and come up with a real good organizational approach to this problem. I'm particularly concerned with section 10 and 11 of the bill, which brings into the department a wide variety of activities, many of which existed over a number of years, and have developed great excellence in their areas. I'm also concerned about the general nature of section 11, which states that, the Commissioner shall have jurisdiction over all local authorities, boards, and other entities in matters effecting the environment. If you broadly interpret section 11, I believe that Commissioners would have a tremendous jurisdiction, not only over matters like the Conservation Commission, but also Planning and Zoning, Highway Efforts, Local Health Departments, and a number of other items that effect the environment one way or the other. In this I think lies your basic problem is there is almost no agency in the state government or local government that does not effect the environment one way or another. The problem that I recognized that you have is trying to develop an organization which will provide the public with the proper protections, but yet not be a department that will be so all embrasive with the development of red tape and really not accomplishing what you want to do, resulting with a tremendous bureaucracy. So thank you very much for your time gentlemen, and I appreciate the opportunity to speak.

Sen. Pac: Any questions? Thank you representative. Any other legislators?

Alice Kugleman: Mr. Chairman and members of the Committee. I am representing the League of Women Voters of Connecticut. The League is astounded that a governmental reorganization of major proportions is being contemplated by this Committee with no opportunity for the public to evaluate the proposal before the public hearing. On last Thursday we were

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assured the bill would be printed and available on Friday. On Friday we, and many other interested people, tried to obtain the bill and were told it was still not available. We are dismayed by this complete disregard for the democratic process. Environment is an all-encompassing topic. Careful consideration must be made as to what functions should be included in a new department and what should be omitted. If too many things go in, the department might be top-heavy and important environmental programs lost; if too few are included, the objective of coordination would suffer. The League of Women Voters therefore urges that establishment of a Department of the Environment be delayed until there has been adequate opportunity to evaluate the proposal by everyone concerned--all members of the General Assembly, the staff people who will be responsible for carrying out the programs, and the interested public.

Sen. Pac: Madam, your point is well taken, we didn't give much notice, but we did have hearings on a department a month ago, so the overall broad concept was discussed. However, we're facing the deadlining of tomorrow at 6:00. We're asking for an extension, we are going to work on these things over the next two weeks, but obviously if we carried over the hearings for another two weeks, God we'd be here until July, and this is the problem that the Assembly assails, and I think your quite familiar with that.

Mrs. Bertrand Brown of Glastonbury: I am Mrs. Bertrand Brown of Glastonbury, a member of the Connecticut Water Resources Commission. I'm speaking for the Commission, I'm speaking as a citizen who has been much involved with state natural resource programs over the past 8 years. During this time the General Assembly has inaugurated many progressive environmental programs - municipal open space grants, wetlands preservation, and of course, clean water and clean air. I urge that this Committee take every precaution in its reorganization proposals to make sure that existing environmental programs are not set back. There is always the danger that including too many agencies in a new department, or omitting others with real environmental impact, could actually impede much of the progress that has already been made. Naturally I am particularly concerned about the Clean Water legislation. Our State program is one of the best in the nation - I remember seeing pictures in the paper last summer of President Nixon congratulating Governor Dempsey on Connecticut's Clean Water program. Please make very sure that any reorganization plan would in fact strengthen this program and would not be just a reshuffling which could slow down our progress in pollution abatement when in committee. The proposed reorganization has far-reaching implications, all of which need careful evaluation. I urge the Committee to delay action until there has been adequate opportunity for thorough consideration of all the ramification. Now that I've had a chance to see the bill I feel more strongly about that. Change for the sake of change accomplishes nothing. You must make sure that, without question, it is a change for the better. Thank you.

Chester Reneson: Mr Chairman and members of the Committee: My name is Chester Reneson, President of the Game Breeders Association Incorporated, and

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Director to the Connecticut Wildlife Federation. It is impossible to say very much regarding a bill that give only an intent of what will be accomplished. What we need to hear is how this is to be accomplished. Nobody in their right mind can be against the environment and it may well be necessary at some time to establish a Department of this Environment. This quick and probably trick method or of doing it however is not the correct way. In this bill as proposed, all we know for sure is that a new super agency is being created. At least three new additional political appointments will be made--a Commissioner and two Deputy Commissioners. During a time when there is a real need to think about economy in the state government, why create a new super agency that will be sure to cost the state a lot of money with no guarantee that it will work. A few years ago the sportsmen were told that a new Department of Agriculture and Natural Resources was the answer. We were assured that the new agency would be more efficient, effective and economical. This has not proven true, the agency is not more efficient and it's creation has cost the state a lot more money. You are now asking us to accept, sight unseen, a new super agency that will solve all the problems of the environment. More and more the Sportsmen are being shoved into the background and not given a voice in, or knowledge of what is going on. I suggest that you stay around this evening and you will see how aroused the sportsmen can get. We now have in this state in the Fish and Game Department, Park and Forest Department, and Water Resources Department men who are well trained and experienced in Natural Resources Administration. They have the knowledge, experience and will to do a good job, if you will only give them the chance to do it. You propose to place these men under politically appointed Commissioners. They will soon find that their trained judgement will always be subjected to political expediency and it will not be too long before they will become so frustrated that they will be forced to seek employment elsewhere. As i said before, it may be necessary and wise to have at some-time a Department of Environment, but let's not try to push it through in a hurry. This is too important and complicated a problem not to do it right. The public has the right to know not only what you want to accomplish but exactly how you propose to do it. I would recommend that a study Commission that will include representatives from all the varied interests involved, be created to study the problem and find out if it would be feasible and possible to create a new Department of Environment by combining the existing agencies who are doing a good job the way they are now organized. I am against bill H.B.8695. Thank you.

Rep. Chiampi: I know your reading from a copy. I don't know if you wrote it yourself or not, but I take offense at this statement trickery. I think we have treated the sportsmen in this Committee very fairly, and we are not trying to push anything through. As Sen. Pac said, we have 2 weeks more to go on this, so please, I'm very hurt on that remark.

Chester Reneson: Sir, I'm sorry, but I just received this bill at the desk, and it's hard for me to speak on any bill when I receive it at the desk fifteen or twenty minutes before I'm able to make a speech on it, before I realize what's going on.

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Rep. Ciampi: Do you think it's trickery?

Chester Reneson: It may be, it may not be. To my way of looking at it, it is?

Sen. Pac: This is the purpose of a public hearing, we're not trying to force anything on the public; we wouldn't have this hearing if we had.

C. Reneson: Would you please give us the bill a couple of weeks before time so we can study them and not hand them to us at the last moment.

Sen. Pac: Apparently you didn't listen to my remarks that I made previously. We had hearings on a department concept a month ago. Now you could have talked to the whole concept, the broad outline of a department or a council. Since that date we've come up with this bill. Do you know I haven't even read this bill? I didn't get it till this morning myself.

C. Reneson: How do you expect me then to speak on it?

Sen. Pac: This is the reason for the public hearing.

C. Reneson: That's why I am here.

Sen. Pac: Well--thank you very much. Any other questions?

David Wiggins: I am Director of Environmental Health Services, Division of the State Health Department. I spoke at the previous hearing on H.B.6700 that was heard on March 3, 1971, and submitted a statement in opposition to separating the Environmental Health Services Division from the State Health Department, and placing it in a new proposed department on the Environment. At that time a number of other health officials also were present, including 6 local Directors of Health, several sanitarians also opposed it, representatives of the Connecticut Public Health Association which represents 600 professional health people in Connecticut, and the Connecticut Association of Environmentalists also opposed it. I feel it's important to maintain the health orientation of our work which includes public drinking water supplies, sewage treatment, solid waste, air pollution, bathing areas, housing, and shell fish sanitation. We do not want to dilute the health aspects of the environmental work with those of recreation and conservation. We have an excellent relationship with the Water Resources Commission, the Shellfish Commission, and the Fish and Game Park and Forest Development Commission. We confer frequently on our work, and we do agree that the council on the environmental policy would be helpful to keep agencies thinking of the broad aspect. Many times we worked on the law enabling rather than on the channeling subject. The Attorney General rules that we have to live according to existing laws, and not the law the way we would like to write it, and it would seem to me that a council in environmental policy that would be able to look at the general picture of the environment, and recommend new laws that would give us the authority to do things. I think that it would be a great advantage to this. One of our pro-

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blems with most bills that might be written is the problem of enforcement. We have to recognize that Connecticut has not, because of financial matters, greatly expanded enforcement programs. In 1967 we were fixed with a tight budget, in 1969 we had no additional money or enforcement, and this is one of our problems. We need to strengthen the local health departments, there are several bills in the legislature now that would strengthen local health departments, we need to expand our regional officers, and strengthen the district health departments. Certainly as soon as money is available for this type work that a legislature would have to consider this type thing. We feel that the Health Department has a good team work effort with sanitary engineers, sanitarians, health physicists for our radiological work, we have M.D.'s and laboratory staff that as a team makes it very helpful in the overall problem for drinking water or radiological health as two examples. We strongly feel that we should not dilute the primary public health responsibility of the medical and sanitary science in an agency that is not health oriented, if we want to continue to maintain the present high level of public health in Connecticut which we now have. Thank you.

Lee J. Harris: Mr. Chairman, members of the Committee. I'm Lee Harris of Meriden, authorized to speak for the Connecticut Wild-Life Federation. I'm also a member of several clubs, New Departure Fish and Game, Meriden Rod and Gun Club, New Haven Sportsmen's, Central Connecticut Stripper Club, and various other activities that pertain to the out-of-doors etc. I'm not an expert in that category, but I do feel that I'm aware of the opinions of the 200,000, or 300,000 sportsmen of Connecticut, because I'm so active and in contact in various times with clubs and sportsmen of Connecticut. I would like to express my opposition to this bill for the grounds expressed by the Representative from Guilford. I think he expressed it very nicely, and I'm sure that under the present set-up many sportsmen would be very much disappointed that if we were to have another change in the set-up of the State Board of Fisheries and Games. They have a very effective, efficient, and satisfactory department working for the interests of the people of Connecticut and the sportsmen in particular. They are very cooperative to my suggestions made by various sportsmens groups etc, and I feel it would be an injustice to the sportsman if there were to be changes made in this set-up. A Mr. Anderson mentioned we had a reorganization of the whole department only a few years ago, and it is working very effectively and satisfactory at the present time. We'd dislike to see any change. Thank you.

David Beizer: I'm here representing Connecticut ActionNow. I'd like to speak in favor of H.B.8695. I think that like many things in life, there are problems with the formulations but that the concept is an excellent one. Unlike Mr. Harris, I do not think this bill if enacted, would be disruptive of existing state agencies and departments. As I read the bill, it takes the many existing agencies and departments wholesale into a new department. As I read it, it would mean that the present functions, as long as they are operating properly would continue

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to operate in the manner that they've been operating, except that they would be on top of them, someone so say, "look things aren't going so right, we need this regulations, we need these regulations." There would be changes where changes are needed. Let me make a few general comments about the philosophy behind a bill such as this. As I see it, the problems that we now have in environment are due because we have approached the problem on a piece-meal basis. What I see this bill doing is making at least five conceptual, or 4 conceptual changes:

- 1 It would establish uniformity and coordination of the actions and efforts of various state departments. Right now the various state departments are each going off on its' own tangent, sometimes together, sometimes at odds with one another.
- 2 It would avoid a lot of duplications, approval of plans would now be governed by a single authority that would be under one man, and that one man could move things along rapidly and avoid a lot of delays that now exist.
- 3 A new statutory set-up would provide greater incentive to abate deleterious conditions. In particular, I know that this bill provides for a special deputy attorney general who is responsible in this area. Speaking as a former assistant Attorney General for some five and a half years, I can tell you gentlemen and ladies, that ehree is not in the office of the Attorney General a type of priority and dedication needed to abate pollution problems and that's partly because the Attorney General as a constitutional officer has been obligated to defend and represent many, many, agencies, all the agencies of the state. Each assistant by and large is directed to represent many agencies, all of which compete in terms of time, and terms of need. We're here to create a special department, a special deputy, that deputy would focus all his energies on the pollution problems, and I think you would have a lot more legal action.
- 4 This particular bill would initiate a change in values. Right now we have the environment really taking second fiddle or playing second fiddle to development. This bill would focus our attention state-wide on a set of values that we have shunted to the background.
- 5 This bill would provide for long range planning, something that we haven't done. If I can take a few minutes, I'd like to go down the bill and point out what I think are some problems, at least problems areas. First; on Page 1 you find Section 2. There are being set up two divisions in environmental quality, and conservation, and preservation. I don't see where those two divisions are flushed out later on, and I don't understand the difference between environmental quality and conservation and preservation, and I think you ought to take a look at whether these 2 divisions are in fact necessary. Page 2, Section 4. I note that the proposed department would have the power to initiate and receive complaints as to any actual (I'm reading from line 56) or suspected source of pollution, or for the purpose of ascertaining complaints or non-complaints with any provision of the general statues. Now that's excellent--however, it only goes part way. It's one thing for a Commission to initiate a hearing and say yes, these water pollutions laws are not being adhered to, what's really needed is an addition to the holding and hearing is to have the power to order abatement of a given situation. Now I do note that later on in the same

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section it's stated that, the Commissioner may enter orders and institute legal proceedings, including, to my way of thinking as a lawyer that's a little too vague. The enter orders don't suggest that you can enter orders as a result of a complaint made to the department or to the Commission. I would like to see that language tightened up. In addition on page 3 at the top, it indicates that you can enter orders and bring suits for injunctions. I would suggest that the language be further clarified as for affirmative relief. An injunction is basically, don't do it any more, but many times want you want a polluter to do is to do something different, take affirmative relief, clean up a stream, or install some type of equipment. I think that affirmative relief should be added. Turning down to section 5, on Page 3, I have some problem with the concept of clear and present danger as a standard there. That basically is a first amendment type of concept, and I don't know whether it's altogether appropriate in this type of bill. I do think that the order of it be the fact that a Commissioner may, without prior hearing, issue a cease and desist order to a polluter is an excellent idea. However, I think that the other half of the coin is not there. In other words, it's one thing for him to issue a cease and desist order, it's another thing to be able to enforce it. As you read that section you see there is no penalty for failure of the polluter who has been issued a cease and desist order to comply and I would suggest that some sanction be imposed to make the polluter liable in damages if he fails to cease and desist when ordered by the Commissioner. Section 6 provides as I said before, for a statewide environmental plan, again, it's an excellent idea, however, I don't know what it means to revise a statewide environmental plan, and I think that section could well be flushed out to give the types of interests that this legislature is concerned with. Finally, turning to Page 5, we find a number of different agencies incorporated into the new department. I think they are all fine, with the possible exception of the Connecticut Development Commission, which appears on line 123<sup>1</sup>/<sub>2</sub>. The Connecticut Development Commission is a agency by and large which is here to promote business industry, and it is the antitheses of agencies which are here to abate pollution problems. I think what your doing is your treating an atomis energy type problem while your giving to one department powers or obligations to promote industry, the same time as you want to regulate it. For my money, I would excise the Connecticut Development Commission and Finally, down in section 11, as a couple of gentlemen have already implied, I think there are problems there. I don't know what the word jurisdiction means. When it says, the Commissioner shall have jurisdiction over all local authorities. Does that mean that once a hearing has been started in a zoning commission in a given town that the Commissioner can step in and say, "llook, I'm taking this over". Does it mean he can supercede the orders of zoning and planning Commissions? What about variances? I think that creates a lot of problems, and I would either like to see it reworded, or revised in some manner. On the whole I think that this is an exciting new concept, it's something that is very much needed. It will not be disruptive, and it ought to be given every consideration by this Committee. In the event that this Committee feels that this is going too far, we are in support of com-

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mission bills that have some teeth that are not overhaul department bills, and I think something should come out of this body this year. Thank you.

Rep. Hogan: Did you say fleshed out, or flushed out?

David Beizer: I'll take a little of each.

Theodore B. Bampton: Mr. Chairman, Committee members. I'm the Director of the Board of Fisheries and Game. Since we're one of the agencies that's going to be taken into the Department of Environment, I thought I would make a few brief comments to you this morning. We're an old agency, as most of you know. We've been here about 105 years, and as they say, experience is a great teacher. We've been controversial over the years admittedly, and I think we've been investigated more than any other state agency. What usually has prompted these investigations is the fact that one man either by design or by fate, has assumed too much power. As such things don't go as they should, and before long there's been a public clamor, and we're investigated, and usually reorganized. Now, the last reorganization of the Board of Fisheries and Games occurred in 1954, which gave us the organization we have today; a five man citizen board, and professionally staffed department. We think this is operated very satisfactory. Now to implement the proposal under consideration would remove what we believe is a proven concept of state government. One where the citizen can participate. We think that this is dangerous, and that it creates an uneven balance of power. In fact, we can't think anything good about, quite frankly. I think the commission type of participation provides several things, it provides for a citizen participation, minority political representation, and a functional system of section balances. We also believe that a citizen board, and I think this is important, it provides a buffer between a professional administrator, and the pressure groups which do exist. I assure you gentlemen, at Fish and Game, we have all kinds of pressure groups. If you want to see a big one, go to the Judiciary hearing this evening on farm control legislation. I've only skimmed the bill as most of you have, and one thing jumps out at me. It appears to be an omission within the legislation as proposed, and this is, that many of these agencies have a quasi-judicial function. Certainly, Fish and Game does, the Public Utilities does, the Water Resources Commission does. If I read the bill properly, the existing boards, and commissions are, I think, removed. The staff appears to stay, but the commissions and the boards are removed. If this is so, then we find ourselves with a single individual making all these quasi-judicial decisions, and all these agencies don't agree, and never will agree. If you add the Development Commission to this I think this further mixes the pot. I think that's about all I have to say to you this morning.

<sup>Kravitz</sup>  
Rita D. Kravitz: I'm very happy to be with this Committee. My name is Dr. Rita B. Kravitz. I'll just briefly run through my qualifications. I've been an appointed official of the State at the Local, Regional, and State level for over 15 years; and without interruption. I've been on

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appointed official of the State and Planning and Zoning Commissions, I've shared a Regional Planning Agency, I've been on a State Study Commission, the Metropolitan Government, I currently sit on two State Boards, the Clean Air Commission, and Advisement Council on Community Affairs, and I was a member of the Governor's Education Committee, I Chaired the Function Panel on Education, and was Co-Chairman with Russell Brenneman of the Legislation Panel. It was Mr Brenneman and myself who drafted the report, he served with most of the legal ideas, and I tried to help, which provided a good part of the basis for the legislation of the Governor's Committee. I hope I've had a little bit of experience. I've also tried to be a student of the problem. I do have a doctorate, and I do keep an academic life going somewhere. I served this past semester as Co-Director of the Yale Series on Environment, and presently I'm one of the seminar leaders of the Southern Connecticut Seminar on the Environment. In my studies of the environment I have been trying to look around in other states and bring to my attention so that I could pass it on to the Committee, what work is happening around the country, and I'm very pleased to be able to give the Environment Committee a study which perhaps they don't have. It was given specifically to me so that it could be turned over to you. This is a study which is currently underway, and almost completed by the Woodrow Wilson Center of the Smithsonian Institute in Washington. It's called "Managing the Environment, United States Looks for New Answers". They sent my by air mail copies of the chapters of several of the States. You can see it's quite comprehensive. This is New York, Washington and Illinois that I have currently, and I'll have zeroxed copies made for you if you would care to have it. The Woodrow Wilson Center hopes that the study will be ready within the next week or two. I'm hoping in time for you to use it because it's an objective study, and should be able to answer some of the questions in your mind. I also went down to the State of New Jersey, and spent some time with the State, because I had read about it, and had been very impressed on how well they seem to be doing. Granted they have terrible problems but they are meeting their terrible problems with very aggressive action. Visiting New Jersey really was an eye-opener for me because it made me aware of, I had felt we had many inadequacies certainly on the air program, and structure in this state. But actually seeing in operation the New Jersey program; they consolidated their programs back in 1967. Before that they already consolidated the air and water, so that they went through many of the battles that Connecticut is still going through and perhaps overly delaying. I should have added I am in favor of a new department and what I have to say now will bear on this. I speak for a new department because from my study of the problem as well as my active experience in state government, I feel the time is now; let's not delay any longer, to take strong action. If we continue to destroy and delay, we will lose the valuable time we need to get these programs under way, and I feel we have already procrastinated too long and that this procrastination is showing certainly in our air program where we do not have any leadership. I can't speak of course as a member of any deeply involved in the work of the Commission. Firstly, I would like to say that I assume that you will abolish commissions like the Clean

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Air, Water and Pesticides Commissions, or when the action and say-so is such. If you abolish these Commissions, I would well it. It means abolishing my own job, and I feel the time has come in the much broader interest of the State to do this abolition. I do not feel lay commis- sions have the capacity to function in the professional and aggressive far-reaching way that state environmental problems require. You may wonder why the Governor's Committee took no stand on the department. From my own point of view I hope this is an accurate portrayal. We on the Legislation Committee which provided the guidance, at first thought we might be able to take a line up either way, and then we realized we would destroy the effectiveness of the citizens groups. Obviously there were interest groups on both sides as well as the non-partisan objective people. We didn't want to get into the hassle of deciding on a new department, and lose the valuable time and the value of the Governor's Committee which could evaluate the problem and tell what functions were not being considered, rather than the form and structure. The structure was properly a legislative matter, and that an executive commission would more properly address itself to what was needed, and that's why we didn't come out for a department. If you look at the preface to the legislation panel I think it is a very fine rundown of the reason why the state is now in it's present environmental dilemma, and what has to be done functionally. Not to step out of my role as a member of the panel, some of us felt that only a very strong forceful department with full and firm powers to do the job, and to date everybody had been reluctant because of the interest I would say sitting right in this room to take the step. You always have representatives of the Agriculture Department, and of the Health Department. I could very understandably, but not necessarily rightfully will protect their role. It's hard to say that, but as an appointee on the Clean Air Commission, the time has come to forget about our individual kingdom and roles, and get on with the job. As far as the separation of air and water, I've always been amazed that Connecticut continues to keep this separation. There are very few states that do not at least combine the air and water function. To put air under health, and water in another places, water is in several places. It makes no sense, and many times we have problems on the Clean Air Commission with the water problem, and we really don't get an adequate answer. With respect to the office of the Deputy Attorney General, one of the lacks, certainly of the Clean Air Commission, is the lack of any legal advice. It's hard to believe at this important time that a commission with the regulatory powers of the air agency really can't avail himself of adequate legal advice. This is in my opinion, one of the reasons we are not very forceful in the clean air program. New Jersey, which has an excellent tie-in with the Attorney General's office, where there is a task force on the environment, has taken it onto itself to educate the judiciary. They have done this from the moment the enforcement process started, the lawyers are involved with it laterally from making out the first forms, then your case really stands out when you get to it. Industry learns how far this Commission will go, and interestingly enough, even public utilities in New Jersey, from my recent experiences in meeting some of them at a conference in Washington, said that they thoroughly admired Commissioner Richard Sullivan. They felt he was very tough, but very

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fair, and they knew where he stood. They did not object at all to the far-reaching measures that were enacted and followed through in New Jersey. About Commissioner Richard Sullivan; I cite him only as an example of the non-political commissionership who heads this important board. He came up through the ranks. He sat actually as a staff member on a Clean-Air Commission, that was dissolved; he was made Commissioner. The new Governor, and I think great praise is due to him, took over the Commissionership of the previous party, and kept Mr. Sullivan on. He's an example of the type of leadership we should be aiming for. Because as you people know, it's not enough to have a good bill, you must have good leadership in the back-up for it. Similarly in Illinois where I had occasion to meet the new Commissioner, Mr. David Carry, who is a lawyer, this man was a law professor, and now serves as a very aggressive head of the Illinois Pollution Control Board; a very new agency. If you read his first report; it's one of the most exciting reports I have ever read. They really call for action, and they are moving on and they are fair. These are the types of people that you find all around the country, and I don't think that we have encountered them the same way in Connecticut. As for financing, certainly you will transfer along with the complete transfer of the agencies, budgets, and the plans of the new department. Therefore the arithmetic should not be as overwhelming as it would seem on the face of it. Perhaps most important I think the reason we need a new department is that the Federal Government through its own reorganization has thrown out the challenge to the state. As you know, they had a sweeping reorganization, they had the council on environmental quality which is the policy in advisory arm and really set the thing in motion. Just this December they set up the Environmental Protection Agency with a very strong administrator, Mr. Wolkehaus. The guidelines really come in a form that relate to all aspects of the problem, not just water and air. I'll give you an illustration. You not only have the new EPA, but you have of course the much strength that clean air amendment which were enacted also in December, a busy month for our government. I do not honestly see how Connecticut can live up to the the new clean air amendment without a new department because it calls for a rather important control for the first time over land use and transportation. The Clean Air Commission and the Health Department just do not have the capacity or the relationship in government to deal with the problems of land use and transportation which must be dealt with or you will not meet your air status. Mr. Wolkehaus has proposed a legislative guideline which I will leave with your Committee, and if you look at these guidelines you will see that no single agency can possibly do the job. Finally to conclude, you need an integrated approach because your dealing with an ecological problem. The ecological problem involves man's relationship by air, water, or pesticides or land. In the long term basis, you must finally be dealing with the problem as a whole, rather than separately. With respect to specifics, I'm very pleased that you put in a clause about local jurisdiction, but I feel as most of the speakers before me that this is going to require a very careful look to make sure you don't set step on toes, but do the job. One of the problems again in the clean-air work is that we have no relationship with the local that is meaningful and I don't know whether you do this legislatively or administratively, but it does require much more careful thought. I also agree with Mr. Beizer, it's excellent to have a state-wide plans have very little meaning in a state. Perhaps if it's related to a department it will be more than a plan which is finally needed.

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I think you will, the bill is very new, you haven't had a chance to study it, and we haven't. I urge you to take a very careful look; it's much too important not to do it that way. Thank you.

Sen. Pac: Any questions? I guess you've exhausted all of our questions. However, we are in need of a new commissioner, are you available?

Rep. Ciampi: Excuse me--when did you receive this bill?

Rita Kravitz: This morning.

Rep. Ciampi: You did a very wonderful job interpreting it.

Muriel Lightfoot: I'm from Westport. I started out as a member of the League of Women Voters Environmental Quality Study Group, and I got interested in air pollution. As a result of this interest I'm now taking a seminar at Souther Connecticut State College. I've attended many meetings of the Clean-Air Commission. I'm a housewife, mother, and a taxpayer, and I speak for myself, and if I sound I am. I've never done this before--first time. In modern society, the principle of fragmentation, outnumbers the principle of unity, is producing a higher and higher degree of disorder and disunity. We see this in a vast number of conservation groups, each concentrating their attentions, many very successfully, in one area. Our business world has not been asked until only recently, to include air, water and land in the pricing system. And government in it's bureaucratic fragments, has lost the principle of unity by concentrating on the protection of a single unit of the environment buried within many separate departments. What is needed desperately now is the shifting of our great Western system of fixing attention on the job-at-hand, to concentrate on integrated government action. A strong environmental department, which would include all the scattered party; would establish the rules and enforce them with it's own legal arm; make the necessary plans for the total environment, and move toward solution of the job. Certainly the states which have already taken this step toward integration, give us in Connecticut, a picture of action to be envied. Only thru this approach will the strength of both conservationists and industry join together in a strong control program. Thank you.

Richard Williams: I'm President of the Fairfield County League of Sportsmen Club, with a membership of about 4500. We are here to oppose this H.B. 8695. I believe Director Bampton has given reasons why. We also would request if possible, the future a little more time to let members know that there is going to be such a hearing. This is about the third time this year we have appeared up here. The bill hasn't been written, there was not even a chance to pick up a copy of the bill before a hearing. This one we thank someone for getting at least 15 minutes or maybe we should thank the Chairman for saying the meeting would start 15 minutes late. It gave us a chance to read the bill and know what it is. Once again, we oppose this bill, we appeal to the Committee to give it a lot of thought before they make any more moves at all on it. Thank you.

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Sen. Pac: Do you know we still have bills coming down from from downstairs. This morning we picked up a couple more. So these are some of the problems that are fore us. Tomorrow is the dead-line, and I dare say that there will be some more bills come up after the dead-line. This is the problem that faces us, and I appreciate your problem.

Richard Williams: We appreciate this too, but before this I believe it was about a month ago, it was the same story. It wasn't until Friday that we heard the bill was being heard on a Tuesday. The bill wasn't even printed.

Elizabeth Case: Im' the Secretary of Deep River Conservation Commission, and also I've been a member of the Governor's Committee on Environmental Policy. I'd like to support Dr. Kravitz's appeal very much. I am for this bill very strongly. The in-fighting that goes on between the various agencies in the state is incredible. Nothing will get done unless there is somebody to oversee it, and this is pretty vital in the terms of the environment. Thank you.

Deborah Hill: I'm an Ecologist and teacher. I have begun to study the legislative process in relation to environmental problems. I have been very discouraged to see the amount of work that has gotten done. Largely because of the problems of everyone protecting their own invested interests. I would therefore support what Mr. Beizer said, and what Dr. Kravitz said on how this bill should be strengthened so that we would have an umbrella agency that would get something accomplished to protect the environment. Thank you.

Mark Feinburg: Mr. Chairman, members of the Committee. I'm Managing Director of the State Development Commission. I appreciate the opportunity to be heard here today, and to try to be helpful to your Committee because I realize that your trying to do something that all of us feel is long overdue in Connecticut. I would like to lay a little ground work from the Commissions operating point-of-view first. We in no way differ with the people who want to preserve the environment in Connecticut. In fact that is our policy, and it always has been. Sometimes there is a misunderstanding that we're bringing in companies that would like to pollute the state. That day is gone, and we make it very clear to every company that is considering this state, that that day is gone. As a matter of fact we were the first development agency in the country to set up our own environmental impact unit, so that when we have a company that's considering expanding, and it looks as though these may be some problem in terms of air pollution or water, noise, solid waste disposal, we have a limit in the Development Commission which works with the State Health Department of the Water Resources Commission. Then we bring that company in, and they sid down with the enforcement people and the cards are on the table right from the beginning. I'd also like to mention for the record that we have discouraged some companies from coming to Connecticut because we didn't feel that their impact on the

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state would be proper, and their impact would be negative. I'll mention specifically a company that wanted to create a nuclear dump here for the disposal of radio-active materials. We told them Connecticut is not the place. So this is, and always will be, our policy. I would like to comment only on Section 10 of Substitue H.B.8695 as it pertains to including a development commission in the agency. I don't think there is any question that we've got to pull all the pollution and environmental considerations, and enforcement together in one place. The concept or the structure, I don't think is for me to comment on. There certainly is a need, and this is something that is helpful to us in encouraging companies to come to Connecticut and encouraging our own industry to expand here. Seventy percent of the employment expansion year to year in Connecticut is domestic firms that are already here, and that we're trying to keep here. So, there is just no question that there is a need for this type of overall approach. I think there is a question, a very serious one, as to whether the Development Commission which is a sales force should be included in an enforcement agency or structure. It would be sort of like putting a sales and marketing force of a company in the plant's security department. Not that there is a difference or a clash, because when the state sets a policy, the Development Commission follows it. Now this bill calls for an environmental policy, we certainly agree with that. But I think the state needs a development policy as well, and that has never been set up. This applies across the board to everything that's generally termed development, and certainly would have an influence on the ecological matters. The House Task Force on unemployment is recommended strengthening of the Development Commission and its' job building activities. I think including CDC and this enforcement group would tend to have the opposite effect of weakening the job building capabilities we have. We've had some specifics in lieu of the absence of overall state development policy as it pertains to overall state development policy as it pertains to all development, certainly to this area of interest. We've had some things that we've done on our own to try and fill the gap. One of the things we did was take a look at it in an expert way, and publicly produced a report and said we don't need it, and don't want it for a varitey of reasons including what it would destroy at the Connecticut end in terms of our shore-line. These are some specifics, we file legislation which proposes to help finance the pollution clean-up of our industries because this is part of the motivation that's going to be necessary. The bill for just the water pollution clean-up to domestic industries in Connecticut now is estimated at between 60 and 100 million dollars. There are some states that do have programs to be helpful in this area, particularly for the small, medium size companies. We have legislation under consideration that would tend to do that. We do not subscribe to the theory of pay as you pollute. We subscribe to the theory that pollution is unacceptable, and must be eliminated and prevented. We have in our capability lists of companies that produce pollution control equipment, and it can produce pollution control equipment and it can provide services and we would be glad to make any of that material available to your commission and your committee if you feel it would be helpful. We'd like if it's

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okay to put our knowledge and our staff at your disposal to help draft a meaningful bill, and again I would just like to note, that I don't think that the Development Commission should be made into an enforcement agency which this bill would tend to do.

Rep Ciampi: Thank you. Did you receive that bill this morning?

M. Feinburg: Yes sir.

Jesse Johnston: I want to thank you for having the opportunity to be before this board. I think it has been discussed very well from both sides, and it would be presumptuous for me to speak either in opposition or in favor of it. I'm simply going to ask that you consider looking carefully at this bill again, and I think the verbage can be improved. Now I would like to draw attention to section 3, line 27, carry out the environmental policies of the state. Perhaps those policies are, because they are not clear to the layman. I also would suggest that on page 2, line 38, where you provide for the control of pests, and regulate the use, storage and disposal of pesticides and other chemicals, that you draw largely on the expertise found on a federal level prior to making a judgement on this. You may be aware of the fact that many of the towns in Connecticut at the present time are faced with the spraying of gypsy moths. The question is to whether or not seven is a pesticide that is harmful or not, is a question that does not seem to be able to be answered on either the state or federal level in such terms is understandable by the layman who must take this to a town meeting for expressing their votes as to whether or not the town should spray. These things should be available so that the people may make a valued judgement. Specifically I would like you to review section 10, and throughout section 10 you have taken the various segments and tried to piece them together to make up one large group that will take care of the environment. I believe on line 120½, it says, the boaring commission, I believe that should be the boating commission, and I somehow question whether or not this should be included under this. Now I'm specifically for Old Saybrook; we have over 200 boats per hour on the weekends going through the slot. We can not get State monies, or federal monies to help us in taking care of this project. We have discussed this with the boating commission. They are very familiar with it, although it's only a small part of the state it is a very peculiar problem to that area. I wonder if the boating commission should be a prt of this. I also realize that due to the use of gasoline, etc, and various other pollutants coming from boats with heads etc., that you probably put it under there for that purpose. I would also question the inclusion of the Connecticut Agriculture Experimental Station. The Experimental Station has served a fine funtion with the various towns in Connecticut as far as examination for gypsy moth surveys and others like this. They have made their staff available for us, they also take part and will coordinate the spraying as it is deemed necessary. I sometimes wonder whether or not you should put an expermental station under this commission. When you deal with the word experiment you need to have the freedom to take

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a course of academic action, this should be separated from the political body. I also feel that you need to look carefully, as has been expressed before, at just exactly what section 11 means. To me it is not clear, just exactly what jurisdiction over all local authorities? To cite a case in Old Saybrook, our Conservation Commission was largely responsible for some of local wetland ordinance. We tried to get a declaratory judgement from the judicial authorities on a state level, were unable to do that and we are faced with rather severe hardships over this particular ordinance. We do not know whether it is legal or illegal. This type of thing that your trying to get here in Section 11, if it was more clearly defined, it might suit the bill there. Thank you very much.

Rep. Ciampi: When did you receive this bill?

Jesse Johnston: I received it this morning. I do not look at it the way others do. I think I had plenty of time to review it. Thank you.

Robert Josephy: Mr. Chairman, and members of the Committee. I'm from Bethel, and I'm a farmer, and Vice-President of the Board of Control of the Connecticut Agricultural Experimental Station, and Chairman of the Executive Committee there. I'd like to comment on Section 10 of the bill, which includes the Connecticut Agriculture Experiment Station in the proposed administrative agencies. The Station is a scientific institution; it has contributed immensely to man's well-being in Connecticut and in the world by discovery of such things as its' 1970 chemical method, treating children for lead exposure in paint, discovery of the very first vitamin, the essentiality of amino acids, and the method of producing hybrid corn now used throughout the U.S. Every glass of milk consumed in Connecticut comes from cows fed on hybrid corn. A member of the station staff has just been selected by the National Academy of Sciences to head a committee to study the severe epidemic of corn blite which swept the country last year, and increased food prices in Connecticut as well as elsewhere. The role of the Station to put science to work for better food could not possibly be improved by mixing its' research functions into a big tank of regulatory functions in an environmental agency such as this bill proposes. Since the turn of the century part of the Station test has been investigating environmental problems. This is only part of the research it does for Connecticut and the other part to the Station research program should not be lost in the process of attacking the many problems of the environment. Under its' charter the Connecticut Agriculture Experiment Station is a specially chartered corporation with the authority to hold and manage real and personal property. Under this authority the board holds and manages several trust funds totaling some 2 million dollars which would revert to certain contingent beneficiaries and be lost to the people of Connecticut if the Connecticut Agriculture Experiment Station was to cease to exist as a separate entity. The board of control urges you most emphatically not to hamper the work of a great research institution by submerging it under an action agency as is presently proposed in the bill under consideration. Please omit

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it in the bill under consideration. Please omit it under H.B.8695, and the proposed department of the environment. Thank you.

Thomas Burgess: I'm of Wapping, Connecticut, and a member of the Board of Control of the Connecticut Agricultural Experiment Station. The Legislature gives the Board of Control responsibility for the Station and I want to give an accounting. Others have spoken of the Station's scientific distinction. I want to mention its financial efficiency. How much do the citizens pay for the research in agriculture, forestry, pest control, food analysis and environment at the Station? They pay 98¢ per capita. Only 8 states pay less and 41 pay more.

Citizens hate the growth of bureaucracy, the spending of money on overhead that doesn't accomplish the job assigned by the Legislature. The Station uses only 5¢ for administration out of each dollar you appropriate. We have found no other agency as lean. The Board of Control is proud of the accomplishments of the Station that it controls for you. It is proud that these accomplishments are efficiently gotten. And it asks that this efficiency be recognized by continuing the present organization of the Station under the Legislature and the Board of Control.

Paul R. Walgren: I'm a practicing arborist in the State of Connecticut. I'm a past President of the Connecticut Tree Protective Association, and I would like to speak to you as a tree man, and how this bill effects something I've been very close to most of my life. I don't have to tell you there are a lot of good things in this bill, I'm sure there are. I am overwhelmed by section 11 and its' wording, but that's been brought out before. The thing I would like to speak on is the inclusion of the Connecticut Agriculture Experiment Station in this bill. I honestly can't see anything to be gained by this, and yet I can see much to detriment of it. I'm sure I don't have to tell you that the Experiment Station is one of the oldest in the country, and certainly one of the most known, not only in America, but all over the world for some of its' developments. As a tree man who is involved with a national association, I can assure you that the Experiments Station is known nationally in the tree profession as well as in Canada for some of their work. As I said before, I don't see anything to be gained by its' inclusion in this bill. I have four letters which I would like to submit with you.

Charles Barr: I'm from West Haven, and I'm appearing here today wearing three hats. I'm Executive Secretary of the Connecticut Nursery Association; I'm also Chairman of the Connecticut Conference of Farm Organizations. I think all of these are branches of agriculture, and I think we're all that agriculture still exists in Connecticut. I think that became rather obvious last month at a hearing in the Hall of the House. I want to register the Florists, the Nursery men in particular, as being opposed to this bill in its' present form. I think that the objections that have been cited this morning give us all a cause for thought on this thing because as it stands this bill would set up a gigantic agency under a dictator, and reference was made to one man

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as controlling this thing. I don't know where in the world you can find a man who could act and serve in that capacity and cover everything that needs to be covered. The whole situation is startling to me. Take for example, the Connecticut Agriculture Experiment Station; I hardly endorse what has been said by the previous speaker on that score because I've been privileged to work with the Station in New Haven for more than thirty years, and with many other departments of the State Government as an association manager. I'd hate to see that place under some other agency and become a minor entity. The Commissioner in charge of this department, it seems to me from a hasty reading of the bill, would become a dictator with powers greater than those of the Governor, and I think it's an extremely dangerous concept in its' present form, and needs a whole lot more study. I think our groups would certainly favor the commission plan that's been discussed previously, and a lot more thought needs to be given to the whole thing. One thing that I noticed in going through the bill, not being a lawyer perhaps I shouldn't even get into this, but the Commissioner would be empowered to establish certain regulations, and nothing is said about how those regulations are acted upon. It just gives him the power to make them, perhaps there is another statute that sets forth how those regulations should be put into effect, whether it would be hearings on them, or whether the public would have an opportunity to discuss them. The way the bill reads now, the commissioner could adopt regulations period as I read that particular clause. As far as the Connecticut Conference of Farms are concerned, we have not had an opportunity to have our committees study the bill of course, for reasons that have already been cited this morning. I think its going to be given a very careful study. I think I know how large majority of the members of the Connecticut Conference of Farm Organizations would feel about some of the provisions in this bill. We certainly all hope that a whole lot more thought will be given to this thing, and when the final decision is reached, that it will not be quite as overwhelming as the bill that you have before you today. Thank you.

Sen. Gunther: Just as a matter of explanation--On any regulatory agency in the State of Connecticut there are guidelines and procedures, such as, publishing the regulation in the law journal, reviewed by the Regulation Review Committee of the Legislature. So there are protective mechanisms that are on regulations that are promulgated by these agencies.

Charles Barr: I thank you sir.

Dr. James Horsfall: Good morning gentlemen of the Committee, and ladies. As you know Senator, I've appeared before you before in concern with the recommendation of the Governor's Committee on Environmental Policy. Today I would like to speak briefly about scientific policy as conducted by the Connecticut Agricultural Experiment Station in New Haven. Our charter provides that we are to science to work, wherever, and whenever it's needed. Over the years this included some environmental research as well. Somebody told one of our people that Cornell tried to hire last week on environmental research; they told us that we'd

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been 3 years ahead of them. The reason for this is that we have read our instruction over the years to cover whatever aspects of science that our people are capable of dealing with. We have covered a broad spectrum of such matters over the years. You have no doubt heard plenty of our contribution of Hybrid corn, I suppose that's the thing we're most proud of. This changed the whole picture of agriculture in the country. The principle that we discovered here is a part of chickens and soybeans, wheat, cotton and even cattle. We got into hybrid corn research because 40-50- years ago more that 70 years ago my Director decided that one agricultural crop that would probably moved out of Connecticut is milk and corn under the last production of milk, and therefore being plant scientists, was our business to investigate corn. Our function is to work on research, gypsy moths in the forest, worms in apples, disease in potatoes, soils for septic tank dispersal, etc. It covers the whole area of plants, and the soils they grow in. Our contributions have been from an organizational pattern which has been in which science is a central function of what we do. We are not involved in regulatory functions. It is our business to provide the data in which regulatory functions may be based. The "Bell Telephone Laboratory" is undoubtedly one of the most distinguished scientific agencies in the country proposed by industry. This operates as an independent unit within the Bell Telephone System. It is not under the sales department, it is not under long-last department or anybody else. It does the imaginative research the whole Bell System needs. The same sort of thing that would be in the General Electric lab that's connected to where my son-in-law works. It's interesting too, that over the years Connecticut has never felt necessary to merge a operation of the research in agriculture into the Department of Agriculture. At the national level we now have the Environmental Protection Agency whose role is to protect citizens against environment, but the research in environment in the U.S. Government is under an agency they call NOAA, which is the National Oceanographic and Atmospheric Administration research in the weather etc. It's not under the EPA, it's under a separate research institution. I suppose if I'm going to make you one-point members of the Committee in respect to scientific policy it is, that the great leaps forward that scientists are able to make is because their thinking processes are not restricted to the day to day exigencies that may happen to arise. Admittedly we put out a lot of fires. When Japanese Beetles arose, it was always our business to be with it, and we introduced parasites, and the Japanese beetles disappeared. So we do put out fires, but we have also a much more fundamental and important role to do the thinking on the frontiers of knowledge so that you can make great break-throughs in the use of science in society, and hybrid corn is an eloquent example of this sort of thing. My membership on the Governor's Committee has proved to you already that I have a great concern for the environment. I would like to say to the members of the Committee, that if you leave Experimental Station where it is, that the research that our people can do on environment within, its' competence will be better than if you put us under an action agency.

Rep. Platt: 121st. One question. Dr. Horsfall, you made your point very effectively on the agency which you are entirely interested in, and I

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think we're all impressed. The other agencies like the Development Commission feel much the same about their agency as you do. I wonder if you, as the head of the Governor's Environmental Study want to comment on the concept of the whole commission idea.

Dr. Horsfall: Yes, Sen Pac asked me that question when we were here reporting the recommendation of the Governor's Committee on Environmental Policy respective council. My answer was then, and still is, I think that the environmental business is such an extraordinary complex matter that we had better "cried out" shall we say, in the form of a council rather than to jump in with all four feet as of now. It's slightly different Rep Platt. As you know, try it out for size principle will be reevaluated by the legislature a year from now, not as in the old days two years from now. The time lapse is much shorter than it used to be, and if the council idea of trying it on for size will undoubtedly show up with plenty of weaknesses in the system which then the legislature a year from now will be able to deal with. You learn from experience is the old French folk-saying. This would give us a chance to examine the whole business under the form of a council so that by a year from now, you'd be in a vastly better position to make more solid judgements than now.

Sen. Gunther: In otherwords, Dr Horsfall, your not for the department, but if it goes, you don't want to be a part of it. Is that clear? I take it your for the council.

Dr. Horsfall: That's right. We can be more efficient with far efficient function for the state as a scientific agency than a division of agency.

Sen. Gunther: I have a little difficulty conceiving how your work would be impaired by the department itself. In otherwords, with a total commissioner, do you think your work would be dictated or changed or?

Dr. Horsfall: Yes sir. Let me say in a couple of words Senator, a poker hand is what you call it. For better or for worse, we think in terms of a hand of straight marks, or whatever. That's why industry is so insistent on maintaining their trademark, because this does in effect regulate ones' thinking. If we were to be put into the department of environment, our research would be regulated by environmental people and we'd be doing environmental research, and the other aspects of our work would therefore neglected. Besides, go back to my major point that the really top scientific agencies in the country are those whose policies are set such that it can conform the larger, can investigate the larger aspects of science rather than be limited to the narrow ones, that would be the case in this proposal.

Sen. Petroni: 24th District: Chairman Pac, and Chairman Ciampi, and members of the Committee on Environment. I hope that the Committee will give serious consideration to S.B.1275, entitled AN ACT ESTABLISHING A COMMISSION ON ENVIRONMENTAL QUALITY. I know that the notice today refers to the Department of Environment, or H.B.8695. From the remarks that were made by the previous speakers, I think that men of experience

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whose opinion I'm sure this Committee will weigh, feel that the Department of Environment will be too comprehensive an agency at this time. Some may even consider it to be a super agency, and the problems may be more than the solutions if it's created at this time without some trial period. With that in mind, I think that a good beginning in my judgement would be seriously to consider the act that I referred to as S.B. 1275 which creates a commission. The commission would be advisory and it would cover the gamut of problems that we face in the environment, the noise, the pollution, development of land and the part of it that I think would be effective is the section that sets up three advisory citizen committees under section 7. I don't think that we can really cope with the problems of the environment until citizens themselves become vitally and actively concerned. A good example of it I think was, the hearing we recently held in Danbury, in my district, which the Public Utilities from here to Danbury on a major transmission line which affected some 16 towns. I think that the evidence that people are concerned about what is happening to their environment, and of course I don't think that much can be done until that concern grows, not in one specific instance but in a continuous concern which would be implemented under section 7, where three advisory committees would be serving the environmental commission under this act. Therefore I think that it's a good beginning to consider the bill that I introduced if the Committee feels that department of environment is more that can be handled at this time.

Rowell E. Fisher: I'm from New Canaan, and I'm President of the Federated Garden Clubs of Connecticut. I am speaking for myself here, though I am sure the majority of the some 9,500 members in the 200 member clubs throughout Connecticut would feel as I do and many would be here today had an opportunity been given for them to know the contents of H.B. 8695. I wish to register opposition to the inclusion of the Connecticut Agricultural Experiment Station in the proposed department of Environment. The Station has always been a separate organization dedicated to research vital to the well being of all Connecticut residents. To place the Station within the framework of this department would, I fear, result in curtailing its services, and lessens its effectiveness. Research work must be unfettered and unimpaired. It must remain non-political. It must have consistent financing and have the freedom to carry out its programs. Please keep the Connecticut Agriculture Experiment Station as an independent special chartered corporation. Thank you.

Anne Conover: Ladies and Gentlemen of the Committee, I'm from Guilford and I have been a conservationist in Connecticut for over 40 years, and particularly devoted to many of the causes which have been brought up today. Before I give you my little comments about this current bill I just simply like to say that as a member of the Governor's Committee on Environmental Policy. I was on the Education Committee, and we're particularly anxious to get this whole program into the schools. I've been working on it for a great many years. I am a teacher, I've taught school for 12 years. I've been working with many of the state

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people on this particular program, and we think we're going to have come to tuition quite soon. I appeared before your Committee on a couple of the bills that you had about this particular thing several weeks ago. I would like to have you reconsider your conditions under which you have aligned the Agricultural Station in this new department. We would hope that the Station would be able to remain in its' present autonomous position; it has an enviable reputation throughout the U.S. and the world. I've worked with members of Station since 1935. From 1935 to 1952 I was serving as an officer of the Garden Club, particularly during the period of 1940 to 52, as a Director of the Federation Garden Clubs, and it's President for two years. Over 10,000 women gardeners, garden club members formed the Connecticut Federation. They cherish and respect their women gardeners, Garden Club members form the Connecticut Federation, and their close relationship with the Station and its' members and the help given to them over the years. The Connecticut Agricultural Experiment Station is the oldest in the country, and is second only to Rothamstead Station in England in the world. Founded in 1875, it will soon celebrate its' 100th birthday. It is a rare gem in the crown of distinction Connecticut proudly wares. This Station is known nationally and internationally as a top-notch scientific organization. It is uniquely ours in Connecticut. This Station has made an extraordinary contribution to the State and to the Nation. It has concentrated through all these years on quality scientific quality. The Station is important to ANYONE in the state who cares for plants, ANY kind of plant, from a tree to a carnation. The Station is outstanding. It helps EVERYBODY with problems large or small, by mail, telephone, or in person, and promptly. It is important that this highly knowledgeable and particularly significant scientific institution, which has attracted outstanding scientists to its ranks from all over the U.S. and abroad, be allowed to keep its autonomy, and not become a mere adjunct to other departments. Besides its contribution to agronomists, pomologists, florists, tobacco growers, silviculturists, pathologists, entomologists, and such, the Station has helped spread knowledge through many thousands of gardens, grounds and parks of Garden Club members and their friends and families. It has not only kept them informed of the best and most improved methods, but has stretched their imaginations to great agricultural deeds. Several outstanding examples of the leadership of the Station are evidenced by the results of the work done on CORN, tobacco, the elm tree, and hybridizing of the chestnut tree; I could go on for a very long time. Please preserve the autonomy of this great Agriculture Station; this fine scientific organization, and let us all rejoice in its next 100 years of SERVICE to Mankind. Thank you. Please delay consideration of this bill for further hearings.

Warren Thrall: Mr. Chairman and members of the Committee. I am Warren Thrall of Windsor, Connecticut, a member of the Board of Control of The Connecticut Agricultural Experiment Station. The Board has directed the Station for nearly a century to attack the great biological problems that fact the citizens of the state. This it has done. The Board is also pleased that many day-to-day problems in farms, forests, gardens

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and homes have been solved promptly as they have risen. For example, our entomologists have joined the City of New Haven in developing Cockroach control for its public housing. The small and autonomous nature of our Station breeds this prompt response to the needs of individuals. I add to my testimony a letter from Ernest Cuzzocreo of Orange, who could not come today, but wants to praise this response by the Station to the needs of people. Like Mr. Cuzzocreo, I ask that the Station continue its fruitful course. Dated April 5th. Sen. Stanley Pac, Chairman, Environmental Committee, General Assembly, Hartford, Connecticut. Dear Sen. Pac. The H.B.8695 which is before your Committee would injure everyone in the state who grows plants by eventually destroying the responsiveness and quality of the Connecticut Agricultural Experiment Station in New Haven. I know of the Station in several ways as a grower of plants. As past President of the Connecticut Vegetable Growers Association, and as present President of the National Bedding Plant Organization, as an individual grower, I feel that trouble shooting by the Station staff on soil and disease problems is prompt. A citizen gets an answer to problems within a day or two, which makes a difference between a useful and a useless answer. Combining this research institute within a regulatory department will in time change it from a help to a hindrance. It will make it respond to superiors in Hartford, rather than to the citizen. As President of the several organization, I know the Station as a research institute in the forefront of biology. Subjecting this scientific station to a regulatory bureau would change its' quality. Instead of a place where new knowledge is discovered, it would become a place where samples are analyzed for policing regulations. I respectfully request that the Connecticut Agricultural Experiment Station in New Haven be left as an autonomous organization under the Legislature, and its' Board of Control. Yours truly, Ernest J. Cuzzocreo.

Sen Pac: Any questions? I'm surprised as you are that the Station was included in the consolidation. I can safely say that for myself I wouldn't want to see it done, and I think that I interpret the feelings of this Committee as well. Thank you.

George Simpson: Mr. Chairman and members of the Committee. I'm Executive Secretary of the Connecticut Farm Bureau Association. I just want to indicate to you what the policy of our organization has been that would give us the basis to comment on the bill before us this morning. Our voting delegates back in November made this statement that together with forest land owners, Connecticut agriculture is the steward of approximately 2/3 of the State's land resources, and in addition to food and fibre production, we are a major contributor to our natural environmental quality. Connecticut citizens as well as those throughout the nation have a vital stake in agriculture's continued ability to maintain and improve our natural environment to feed the state and nation. Agriculture on the other hand has a concern which is just as vital in not only the quality of our natural environment, land, air, and water, but in the proposals made by others to approve it. The farm bureau members must take the initiative and provide the leadership in repre-

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senting the interest and responsibility of agriculture of improving provement of our natural environment. We must be considered as equal partners in all programs to maintain and improve environmental quality, I think probably the last sentence is a key. We sent a memo to the Committee back on March 4th, relative to the hearing on March 3rd, on which the two proposals are relative to whether we should have a council, or whether we should have a department considered, and we made this statement in conclusion that improving environmental quality is a broad concern, and is related to the functions of all departments of government. The concept of isolating environmental functions would prove to be most difficult, and the results could be very disillusioning. Now I just might point out that while admittedly the proposal before us today proposes to join several of these functions in the one department, a question of the function relating to environment carried on by two separate departments of government; the Department of Agriculture of Natural Resources, and the Department of Health. I'm just talking generally now, it by no means includes them all. For example, the bill would leave the livestock division, dairy, milk marketing administration, and the marketting functions of the Department of Agriculture in a totally separate department. First we should point out that all of these functions are related to Connecticut Agriculture, which I might comment, is not unrelated to the environment, after all we do own and operate 750,000 acres of our open-space, and this is hardly a function which is unrelated to our environmental concern. If we switch to section 3 of the bill, we will find a number of functions which are related to us, and which do concern us. For example, part A indicates, promote, and coordinate management of water, land, air resources to assure their protection and enhancement. We talk about providing for the care, custody, and control of our forest land, the prevention and abatement of all water, land, and air pollution, and that which relates to gases, dust, vapors, noise, radiation, odors, nutrients, which could mean fertilizer nutrients, . E- provide for the control of pest, regulate the use, storage, and disposal of pesticides and other chemicals. These are all matters that are certainly related directly to agriculture. So we secondly point out that it separates from agricultural functions to which it is closely or directly related, and we are related to water, resources, pesticides, as well as those functions to the Department of Health, such as, solid waste disposal, clean air, etc. Thirdly, there are functions of other departments of government which are as much related to the environment as anything that we are concerned here with in this bill. Where the Department of Transportation locates a highway, I don't think we could ever state that this doesn't in some way, shape, or form effect the the environment. There are certainly functions of the Department of Community Affairs which would effect the environment. Now as I indicated we warned at an earlier date, in fact we in the memo that I commented on, that there are functions of all departments of government which affect the environment, and yet the functions within each of the departments are closely related. We stated then, and still firmly believe that the task of separating those functions relative to environmental quality would not

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only be an impossible task, but could be achieved, but, and might be achieved and any attempt to do so would be rather disillusioning. We do not feel that a newly proposed department of environment is any magic panacea which would aid greatly in improving and protecting our environmental quality under other than those functions which are being carried on currently. Particularly when we find agriculture for the most part left out of the act entirely. In principle, the proposals although we have not had the opportunity to study it in detail, perhaps might correct some of the administrative procedures. But the size and scope of the matter of coordinating those functions of government which relate to the environment is much too large a task to be carried out without a great deal of study. I might indicate in relative to those particular functions which are referred to in part 10. Again we are closely related to the matter of pest control, we do have a concern with regard to forest, we do have a concern relative to the Board of Fisheries and Game, Water Resources, and Soil Conservation. These are all proposed to be within the department, yet some of the major and direct agricultural functions are proposed to be left out. I think you have heard in sufficient, testimony relative to the reasons why the Connecticut Agricultural Experiment Station should be deleted from the provisions of this particular bill. We recognize the shortcomings of a council, but we do suggest that at a beginning to coordinate the activities of each department as it may relate to the environment. This ought to be our first step. Either that, or to change the structure of what is proposed in this particular nature. Now we're most anxious to work with the leadership for the Legislature, and certainly with the leadership of this Committee in working out the problems. But we do not feel that the proposed department as it is specifically constituted in this bill is the answer. Thank you Mr. Chairman.

J. Clark: Mr. Chairman, and members of the Committee. I wish that I could feel that I speak to the majority of people in my town this morning. I got this bill two minutes ago, and I was forewarned yesterday, late yesterday afternoon. I called the Senator from the Representative, and neither one of them knew anything about this hearing this morning. I feel a little dissappointed to think that we aren't able to get a little information out on some of these things, especially this year I think has been worse than it has for a number of years. I would like to appear here in opposition to this H.B.8695. Under section 7 where a department is going to be created and a man is going to be an official agent for the State of Connecticut, or any municipality within it. I wonder whether the small towns in Connecticut realize when you set a dictatorship like this up what they are in for. We appeared many times as far as zoning regulations, to set them up in this state etc. I think the small towns in Connecticut know their problems, and try to oversee them; properly, with the assistance of the people that pay the taxes, and are running the towns. Another thing that concerns one under section 10, I wonder where these boards that are now functioning, and have been so long. I've been in agriculture all my life. I've been a selectman for the past 8 years, and work quite closely with all

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the departments listed here, including serving on a steamship commission in New London, and working with the harbour commission. We've tried to do everything we could as far as anti-pollution. I think these fiddere different powers of the departments have tried to do their duties best as they can, and I can't see where we can appoint one individual in the State of Connecticut that's going to take over all the duties and powers and run it when more authority they are going to give him than any person has ever had for this state. I would like another area under the Expirimental Station, and I think men more qualified and have spoken here that the Experimen Station should stay and under its' own jurisdiction. It benefits many areas in this state, many people can go there and ask for assistance, including any municipality that needs it. We've worked quite closely over the past 5 or 6 years because of a severe gypsy moth program, and I don't know what we've done without the Department or the Connecticut Experimental Station. They've been very good advisors in this area in telling us what to do. Thank you.

Richard Bowers: I'm President of a state-wide group called Connecticut Conservationists. Perhaps many of you have heard of it. I think it's appropriate that I go back into history and indicate that Connecticut Conservationist came into being over the Sherwood Island fiasco, a difficulty when we had two state agencies disagreeing with each other. As I understand it, the Park and Forest Commission, and the Board of Fisheries and Game, Governor Ribicoff decided that some administrative shift should occur. Out of that desire on part of Governor Ribicoff to not have to make the decisions himself, we now, or we had then as I understand the history of it, the Department of Agricultural Natural Resources, and it did serve to shift responsibility from the Governor for a whole decade. In fact, as active as I was in conservation, not once during the sixtys' did I ever have an opportunity to chat with the Governor of this State. Because Commissioner Gill very effectively insulated the Governor from any decisions. I would hope that this Committee would look to making responsibilites. I don't feel like some people did this morning, the comment that politics is a horrible type of thing, and a bad type of operation. In fact, I look upon politics as a very honorable group of people, some of you I've known, some of you I haven't, and I hope that we can look upon your doings as creating a responsibility that will be more effective in cleaning up the environment than the type of diffused situation that has existed during the sixtys. I'd like to make one particular suggestion in my own area of concern. Maybe many of you know that I'm concerned with the population explosion, and I'd like to suggest that section 3 add on a new provision H, and take into account the fact that we can't deal with the environment unless we deal with question of population control and add in there H, which would say, provide information, and make policy concerning the subject of population densities, and population growth. I think it's highly important that a department of environment recognize that the question of population densities such as how many people we have here now, and the rate of growth, whether we're having more

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people, or fewer people is important also. In closing, I'd like to say that most all of us have been aware for many years of the concept of whether we're going to have a department of environment that would pull together as has been said, water and air, which certainly ought to be pulled together. Whether we're going beyond that to get into solid waste. I would strongly urge that you do this operation in 1971, and not wait until 1972 or 1973. When I was a member for the Republican Platform Committee in 1966, then Rep. Bob Orcutt was a little more in favor than he seemed to be this morning of a department, we called Recreation and Conservation. But the Republican Party Platform in 1966 did pledge that, as all of you know, we didn't have a Governor Gengris in 1966. I would hope that would be what would happen in this Committee, this year, in 1971. We don't have a council to study it for a while, because since 1966, the environmental problems have got worse. I don't think that we can take any credit in Connecticut to have started to solve the problem. We won't start to solve it until we stop our population explosion, but even beyond that, we have to have a very effective and very responsible individual, and I say an individual at the top. I don't fear the probability as was commented, of a commission or whatever we call him at the head, be more powerful than the Governor. I think we need to have responsibility, and we have elections every 4 years. I think the Governor ought to stand the two governor's on the policy that they've made, and I hope that this Committee can come up with a favorable report, and that when you do you can have the various private conservation groups if behind the concept of a department of environment, and bring literally thousands of people, their comments through the mail, and to have hundreds here to talk with Governor Meskill, and to try and convince him that even though the economy is not in the best of shape, perhaps that several million dollars should be appropriated to do a very effective job-cleaning up our deteriorated situation. It's amazing it's the Republicans who were way ahead of us 5 years ago, I'm ready to concede it.

Rep. Platt, 121st District: I wonder if you'll expand a little bit more of the subject of population density, and growth? How you think that can be better controlled?

R. Bowers: Yes, I think the population density needs to come under consideration from the public viewpoint, and we need to have more discussion throughout the entire state throughout the nation, as to whether pro-natalist, that is government policies that encourage more and more people have something that is beneficial to everyone. As some of you may or may not know, the Federal Government has tackled this question of population growth by a commission who was appointed about a year ago. I think we are moving towards a realization on the part of everyone, like the Connecticut Governor's Environmental Policy Committee, reflected that we will not benefit from having more people. Now what's coming to that intellectual viewpoint of the fact that 3 million people in Connecticut is the point of whatever benefit there might be from economics, or from other considerations from a social level. Then we can

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THE CLERK:

Cal. 1270. House Bill 9254. AN ACT CREATING A DEPARTMENT OF ENVIRONMENTAL PROTECTION.

THE SPEAKER:

Representative Ciampi.

MR. CIAMPI: (89th)

Mr. Speaker, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE SPEAKER:

Will you remark.

MR. CIAMPI: (89th)

Mr. Speaker, the Clerk has an amendment.

THE CLERK:

House Amendment Schedule A offered by Mr. Ciampi of the 89th.

THE SPEAKER:

The gentleman outline the amendment.

MR. CIAMPI: (89th)

Mr. Speaker, this is a technical amendment. A section was left off by the computer. It merely substitutes the Commissioner of Environmental Protection for the Water Resources Commission with regards to waters and highways. Mr. Speaker, I move the adoption of the amendment.

THE SPEAKER:

Further remarks on Amendment Schedule A. If not, all those in favor indicate by saying AYE. Opposed. AMENDMENT A IS ADOPTED.

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The gentleman from the 89th.

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MR. CIAMPI: (89th)

Mr. Speaker, I move acceptance of the Committee's favorable report and passage of the bill as amended by House Amendment Schedule A.

THE SPEAKER:

Will you remark.

MR. CIAMPI: (89th)

Mr. Speaker, the Department of Environmental Protection combines all the Natural Resources Department, Waste Disposal, Radiology to Waste(?), Pollution Control Department of Health into one department. This department shall be headed by a Commissioner to be appointed by the Governor who in turn shall appoint two deputies, one for conservation and preservation of the environment and one for the abatement of pollution. All powers that formerly lay in the local boards including Clean Air, Water Resources, Park and Forest, Fish and Game, Shellfish and others have been transferred to the Commissioner. He has the power to adopt, regulate, establish standards, initiate and recommend complaints and to conduct a public hearing to enter orders. He has the duty to formally state why environment plans must be updated at least every two years. He has the power over all which has to do with the environment including air, water, noise. These powers are extended to include strip mining, automobiles and other areas never before touched by state law. Men and women who serve on all the boards and

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commissions are dedicated citizens who gave their best to the State. However, times have changed more fragments of authority in the field of environment has led to confusion among our citizens and has not allowed a full comprehension of the abatement of pollution and the preservation of many natural resources which we are so proud of. The Department also brings order and development in this area. And in addition, this act creates a commission on environmental quality which would consist of nine members; five appointed by the Governor, two appointed by the Majority Leader of the House and two appointed by the President pro tem of the Senate. They will serve as advisory to the commissioner and the governor and they will have the power to request all state agencies to submit all construction plans for their use so that no state agency will violate the environment policy of our state. This act protects all the dedicated state employees who worked and toiled for so many years which has given Connecticut a fine name across the land in their various capacities. This bill will continue to make Connecticut a forerunner for the protection of our environment and it is my hope that this bill which was conceived on a bi-partisan basis will have the support of this House.

THE SPEAKER:

Further remarks on the bill as amended. Rep. Ajello.

MR. AJELLO: (118th)

I'd like to point out to the members that this is not only something that is contained specifically in last year's

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Democratic platform, of which I have a copy here, but more important it's the culmination of a series of steps which we have taken in this session of the General Assembly to actually do something about that which everyone talks about these days and that is the environment. It is a broad sweeping step as the gentleman has pointed out and certainly underscores the fact that if we don't do something to take care of our environment, it will certainly take care of us very shortly. And without belaboring the point at this late hour, I would point out that the lateness of the hour doesn't diminish at all the importance or significance of the legislation and that we should all be proud that we are making this effort here in this session and that we have taken so many significant steps culminating, as I say, in this one. It is a very good bill.

THE SPEAKER:

Rep. Collins of the 165th.

MR. COLLINS: (165th)

Mr. Speaker, I rise in support of this bill. I concur wholeheartedly with the comments of both the Chairman of the Committee and the Majority Leader all except the part mentioned about the Democratic Platform. Everything else I concur with wholeheartedly. I do think this bill represents the continuing record of this session of the General Assembly in the pursuit of excellence in the environmental area. It is, I think, a bill that does a rather thorough and probably one of the most thorough and complete jobs of consolidation of the existing

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agencies, existing boards and commissions under one head as  
has probably ever been done in this General Assembly. It  
certainly is one of the longest bills I have ever seen. I am  
proud to have had at least a small part in it and I think, Mr.  
Speaker, members on both sides of the aisle have worked very  
diligently to bring together what we think is a necessary and  
a very forward-looking addition to our State Government.

THE SPEAKER:

Further remarks on the bill as amended. The gentleman  
from the 177th.

MR. HOGAN:

Mr. Speaker, I'd like to know which budget has the  
\$2 million in it to conduct this <sup>new</sup> department.

THE SPEAKER:

Question is on acceptance and passage as amended by  
House Amendment Schedule A. All in favor indicate by saying  
Aye. Opposed. The BILL IS PASSED.

The gentleman from the 78th.

MR. PAPANDREA: (78th)

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

THE SPEAKER:

Is there objection. Hearing none, the rules are sus-  
pended. Is there objection to transmittal. Hearing none, the  
bill as amended is transmitted to the Senate.

The gentleman from the 78th.

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SENATOR STRADA	YES	
SENATOR RUDOLF	YES	
SENATOR DUPONT	YES	
SENATOR POWER	YES	
SENATOR DINIELLI	YES	
SENATOR IVES	YES	
SENATOR MONDANI	YES	
SENATOR DENARDIS	YES	
SENATOR HOULEY		NO
SENATOR FINNEY		NO

## THE CHAIR:

The results of the roll call vote:

Whole number voting	35
Necessary for passage	18
Those voting Yea,	27
Those voting Nay	8

The bill is passed.

## SENATOR STRADA:

I believe that when I originally moved adoption of the bill, I might have inadvertently neglected to move it as amended by House Amendments A,B, C,D,E,F and J as innumarated by the Clerk.

## THE CHAIR:

The record will so note.

## THE CLERK:

CAL. NO. 1362. File No. 1420. Favorable report of the joint committee on Appropriations. House Bill 9254. An Act Creating a Department of Environ-

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mental Protection. As amended by House Amendment Schedule A.

SENATOR HOULEY:

Mr. President, I move the joint committee's favorable report and passage of the bill. May I yield the floor to Senator Pac?

SENATOR CUTILLO IN THE CHAIR

THE CHAIR:

Yes, you may.

SENATOR PAC:

Mr. President, this bill would create a new department. A Department of The Environment. And though the experience with new departments whether it's on a Federal or State level, has not been a very happy one, in the past, nevertheless, if there ever was any agency that showed the promise of future services and efficiency, that potential rests in the new department.

It would consolidate under one roof, one umbrella, all the agencies dealing with the environment. It would also, be a one stop shopping center for all the problems of pollution. The department itself, would be structured into two divisions: one division of environmental quality and the other division, of conservation and preservation. Each of these divisions would be headed by a Deputy Commissioner. And with the passage a few days ago, of the solid waste mangement act, we would have a third office within this department, the office of solid waste. And it would also be headed by a Deputy Commissioner.

Now, subject to the conditions of Chapter 67, the Commissioner would be allowed to hire consultants and such personnel for rendering legal and financial advice as he sees fit. He would also be empowered to amend or repeal environmental standards or regulations after the ususal public notice and

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the usual public notice and notice in the Connecticut Public Law Journal. He may initiate and receive complaints pertaining to pollution, hold hearings subpoena witnesses and evidence. He may without prior hearings, issue cease and desist orders. Now, this is a rather, a case of broad powers. But, in this case, they are necessary. Because, they would be only used in a case of irreversible damage to the environment. They would be used in an instance, where, polluters would be, would permit the discharge of chemicals and other polluting materials into the waters of our State. It would also be used in a case where some polluter are becoming night polluters and are evading the law. In this case he would issue a cease and desist order and within ten days, of this order, he would have to hold a hearing and of course, at this time, the people would have to show the burden of proof that they would not cause this pollution.

As I look at the clock, time is running out on this session. And in this reflects the whole bill and the whole environmental issue before us. Time is running out on us. We have heard a great deal about the pursuit of happiness, well, what this thing really consists of is concern for the pursuit of life itself. And I think, if we don't take this measure, to find some direction of our state agencies, and departments we will have very little of life. We will know very little of clean water and very little of clean air. Indeed, the question revolves around whether we are entitled to clean lungs and this is what this bill is all about. I will cut my debate. I do not feel that this issue will engender any substantial negative debate. So with these remarks, I will end my presentation with one more remark. There is within this bill, a proposal to also establish a Council. This would be a kind of citizen council that would have nine members. Five of who would

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be appointed by the Governor, two by the President Pro Tempore of the Senate, and two by the Speaker of the House. This council would have broad policy overview of the whole department's operations. They would also be able to initiate hearings and they would also be required to oversee all requirements for construction that came from the agencies, any state agencies. But, this would be only in an advisory capacity.

THE CHAIR:

MOTION has been made to adopt the bill. Will you remark further?

SENATOR HOULEY:

Two very, very quick points. First of all, there is a 50 thousand dollar appropriation. It did receive a joint favorable from appropriations. It s a great bill. I m going to vote for it. I'm terribly sorry that it did not maintain the Department of Agriculture and Natural Resources. I think that's one short-coming, Mr. President. I think the good points far over-shadow the other. And may I finally conclude, earlier the President, stated 50 bills there are 117 to be acted upon. 90 of which are appropriation measures, Mr. President. And I do hope that we will all be very brief.

SENATOR EDDY:

I will be brief, Mr. President. I agree with Senator Houley and also Senator Pac, the Department of Agriculture should be in this. I think at a future date, it will be in it.

THE CHAIR:

Any further remarks? If not, a motion has been made on passage of the bill. All those in favor signify by saying, "aye". Opposed? The bill is passed.