

Legislative History for Connecticut Act

|                |                              |                 |
|----------------|------------------------------|-----------------|
| HB 8145        | PA 425                       | 1975            |
| House          | 4380-4386                    | 7               |
| Senate         | 2805 (consent)               | 1               |
| Appropriations | 0-                           |                 |
| Leasing        | 1-29, 33-36, 1A-4A,<br>1B-7B | <u>47</u><br>55 |

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

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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1975

VOL. 18  
PART 9  
4041-4553

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so we're going to pass a law now, and a three-year appointment becomes a one-year appointment, and a one-year appointment becomes a two-year appointment!...that is wrong, and I wish we'd stop thinking that there happens to be a Democratic majority today and a Democratic Governor, and think about the long-term effect of what we're doing here. You know, in 1972, there was a landslide one way, and in 1974, a landslide the other way. Nobody knows what's going to happen in 1976 and 1978, and I wish we'd stop writing laws that relate to the landslide victories, because that's wrong. When we pass a statute and give people terms of office, we should stick with those terms of office, and not come in and change the terms. I would hope that the Members would think twice about voting for this bill. I don't think it's a precedent that's good, and I would hope we'd reconsider our action on this bill.

MR. SPEAKER:

Will you remark further on the bill?

WILLIAM A. O'NEILL:

Mr. Speaker, may we pass this item temporarily, please?

MR. SPEAKER:

Is there objection? If not, it will be passed temporarily.

THE CLERK:

Calendar 1025, Substitute for H.B. 8145, an Act implementing the report of the Appropriations Committee's special Subcommittee on Leasing.

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JOHN G. GROppo:

efr

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

MR. SPEAKER:

The question's on acceptance and passage, and will you remark, sir?

JOHN G. GROppo:

Mr. Speaker, this bill is a product of some nine months of leasing investigation by a bi-partisan committee on the Appropriations consisting of Representative Dice, Representative Mannix, Representative Bonetti and myself. After many public hearings in regards to leasing in the State of Connecticut, the Committee has made these recommendations to the General Assembly by setting up a six-member Review Board, who will be paid a hundred dollars per diem up to \$12,500...a bi-partisan Board working with the Commissioner of Public Works. Hopefully, Mr. Speaker, this would be the answer to some of the problems that the investigating committee uncovered during its deliberations. It's a good bill, and I move its passage.

THE DEPUTY SPEAKER IN THE CHAIR

MR. SPEAKER:

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

RICHARD A. DICE:

Mr. Speaker, there's an amendment, as soon as I get it signed.

MR. SPEAKER:

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Would the Clerk please call House "A". Would the gentleman be kind enough to indicate the L.C.O. No.?

RICHARD A. DICE:

947.

MR. SPEAKER:

Did the gentleman say 947?

RICHARD A. DICE:

9470.

MR. SPEAKER:

Thank you.

WILLIAM A. O'NEILL:

Mr. Speaker, I don't want to raise a point of order, but does the gentleman have copies of these amendments prepared?

RICHARD A. DICE:

Mr. Speaker, they're photostating them, and I thought they'd be here by now, but he hasn't as yet. Mr. Groppo and Mr. Mannix and Mr. Bonetti and I sponsored it, and I...the Clerk is out getting them, and we should be back. I tried to get it here earlier, but he didn't quite get it here that soon. I have no objection to p.t.'ing it for a minute to get over, otherwise I think I can explain the amendment. It's very simple.

WILLIAM A. O'NEILL:

Mr. Speaker, I'm assured by the Chairman of the Appropriations Committee that in fact these have been mutually agreed upon amendments. At the same time, when they are not in our possession so we can't see them, I don't see how we can go forward with them. We do not have them in our possession...

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either Minority or Majority side. I'd appreciate it if we stand  
at ease if the amendments are coming into the Hall now, Mr.  
Speaker.

MR. SPEAKER:

The House please stand at ease. Will the gentleman  
please come to the well. The Clerk please read in a few items.

## INTRODUCTION OF BILLS

THE CLERK:

A raised committee bill No. 1761, an Act concerning  
venue for offenses committed prior to April 22, 1975.

MR. SPEAKER:

Referred to Judiciary.

## FAVORABLE REPORTS

THE CLERK:

From Appropriations, Substitute for H.B. 6851, waiver  
of tuition for full-time students in the system of higher educa-  
tion.

MR. SPEAKER:

Tabled for the Calendar and printing.

THE CLERK:

Appropriations, Substitute for H.B. 6253, creating a  
Blue Ribbon Commission to establish specific goals for the  
University of Connecticut Health Center.

MR. SPEAKER:

Tabled for the Calendar and printing.

THE CLERK:

H.R. No. 207, congratulating John J. Deverry on the

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occasion of his retirement.

efr

MR. SPEAKER:

Tabled for the Calendar. The House please come to order.  
The Clerk please proceed.

THE CLERK:

HB-8145

House Amendment Schedule "A", offered by Mr. Groppo, of the 63rd; Dice, of the 89th, Representative Mannix, of the 142nd; Bonetti, of the 65th. In line 281, after the word "record" insert the words "or beneficial owner". In line 283, after the word "record" insert the words "or beneficial owner". In line 292, after the word "authorization" insert the following: ", or of any party negotiating with the Commissioner for the acquisition of land by lease or otherwise". In line 295, delete the period and insert in lieu thereof a comma. In line 295, after the comma, add the following words: "and provided further that in the case of a party negotiating with the Commissioner, such audit may also be conducted after the negotiations have ended, if a contract is consummated with the Commissioner."

RICHARD A. DICE:

Mr. Speaker, I move the amendment. May I speak to it?

MR. SPEAKER:

The question's on adoption of House "A". Will you remark?

RICHARD A. DICE:

Mr. Speaker, the amendment is designed to do two things. First of all, it's designed to make sure that the State has the right to audit the books of anyone who represents to the

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State that they are going to make an improvement in a piece of real estate before the State leases or acquires it, and then the State leases or acquires it. We have had occasion in the leasing situation which there have been estimates come in to improve a piece of land or realty, and the estimates were a million-and-a-half, and our estimates of how much the improvements were were sometimes half that amount. Consequently, it did seem to us that the State should have the right to audit the books as to any improvements that were put into the property, so that there are not gross misrepresentations in that respect. The second amendment is basically for the purposes of making sure that the beneficial owner is also represented at the proceedings, so that we know who the beneficial owner are to realty if we're dealing with the State. I think it's a good amendment. It should pass.

MR. SPEAKER:

Will you remark further on House "A"?

JOHN G. GROPPPO:

Mr. Speaker, speaking on the amendment, this has been a bi-partisan effort in drafting a bill, and we saw the mistake. We agreed that it should be a bi-partisan effort to correct the bill, and I endorse the amendment.

MR. SPEAKER:

Will you remark further on House "A"? Remark further on House "A"? If not, all those in favor of House "A" signify by saying "aye". Those who are opposed. House "A" is adopted. The Chair rules it technical. Will you remark further on the bill as amended by House "A"? If not, will the Members please

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take their seats. Would the staff please come to the well. I efr  
will order an immediate roll call. Would the staff please come  
to the well...Members take their seats. The machine will be  
opened. Has every Member voted? The machine will be closed.  
The Clerk please take a tally.

NICHOLAS M. MOTTO:

Mr. Speaker, may I have my vote cast in the affirmative?

MR. SPEAKER:

Representative Motto, from the 2nd, votes in the af-  
firmative.

PAUL A. LAROSA:

Mr. Speaker, affirmative.

MR. SPEAKER:

Representative LaRosa, from the 3rd, in the affirmative.

JOHN A. GIORDANO:

Mr. Speaker, in the affirmative.

MR. SPEAKER:

Representative Giordano, from the 99th, in the affirma-  
tive. The Clerk please announce the tally.

The following is the result of the vote:

|                                       |     |
|---------------------------------------|-----|
| Total number voting . . . . .         | 142 |
| Necessary for passage . . . . .       | 72  |
| Those voting yea. . . . .             | 142 |
| Those voting nay. . . . .             | 0   |
| Those absent and not voting . . . . . | 9   |

The bill is passed as amended by House "A".

CORNELIUS O'LEARY:

S-110

CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
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PART 6  
2629-3188

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C.G.C.

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THE CHAIR:

Thank you. Result of the vote. 36 total voting. 19 necessary for passage. 36 yea, 0 nay, the Consent Calendar's adopted.

HB-7585, HB-7015, HB-8145, HB-5509, HB-5284, HB-5268, HB-7961, HB-7443, HB-8328, HB-5002, HB-5160, HB-5514, HB-5516, HB-6086, HB-8172, HB-8467, HB-7454, HB-8533,  
SEN. LIEBERMAN: HB-5637, HB-8359, HB-5753, SB-1583, SB-1729, SB-1757, HB-5855, SB-1346.

Mr. President.

THE CHAIR:

Senator Lieberman.

SEN. LIEBERMAN:

I would move for suspension of the rules to allow for immediate transmittal to the House of those matters going to the House.

THE CHAIR:

Hearing no objection, so ordered. Motion for adjournment.

SEN. LIEBERMAN:

So moved.

THE CHAIR:

The Senate will stand, Senate will adjourn until tomorrow morning 12 noon.

THE SENATE WAS ADJOURNED AT 6 P.M.

JOINT  
STANDING  
COMMITTEE  
HEARINGS

LEASING

LEGISLATIVE  
MANAGEMENT

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PROGRAM REVIEW

LIQUOR  
CONTROL

1975

APPROPRIATIONS COMMITTEE, GOVERNMENT ADMINISTRATION  
AND POLICY COMMITTEE, AND STATE AND URBAN DEVELOPMENT  
COMMITTEE JOINT PUBLIC HEARING ON LEASING

May 1, 1975

PRESIDING: Senator Robert D. Houley  
Representative Addo Bonetti

MEMBERS PRESENT:

SENATORS: Houley, Julianelle, Baker, Schneller

REPRESENTATIVES: Groppo, Dice, Thornton, Johnston, Varis, Shea,  
Connolly, Mannix, Bonetti, DeZinno, Leeney, Matties,  
Palmieri, Flynn, Anderson, Kemler, Martin, Glassman,  
Dziallo

SEN. HOULEY: We will commence this hearing, please. My name is Robert D. Houley, Senate Chairman of the Committee on Appropriations. And we'd like to commence the hearing on this matter of leasing and hear from any and all interested parties. There are a series of bills at the table. There are also sign-up sheets.

And we'd like to open the hearing with the Interim Chairman of the Sub-committee of this Committee on Appropriations Leasing Investigatory Unit, Representative Richard Dice. Mr. Dice, please, who, incidentally, is also ranking minority member of this Committee.

REP. DICE: Mr. Chairman and members of the Committee. Thank you for the opportunity to talk about these bills. And I think that I'll just make it very short.

As you know, and for the record, this Committee, or a sub-committee of it, studied leasing in the State for something like nine months with a staff and spent at least a month in front of the Committee in public hearing. And I think basically during that time a lot was learned about leasing in the State, as a matter of fact, and the operation of the leasing as a whole.

This testimony and these reports were combined in their rather comprehensive report, which has been filed with the Committee for the purposes of this hearing. I will file a copy of that report again. The details of that report, of course, are in the State Library.

Bill 8145, combined with Bill 1730, combined that report and actually put that report into legislative language and implement that report. I think it implements the report rather well. It does in some detail. And, as I think you recall, Governor Grasso, at the time the Committee reported and the time that the Committee filed its report, did approve this report and in full. I think

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this implementation is the approval of that report and, consequently, I think you have in front of you something that she has approved, to that extent.

Without going any further into the report, because I think I could go forward and make many comments as to why we need the report. What it amounts to, I think you've all read the report. It speaks for itself and is rather comprehensive.

I think it is a strong bill. It's one that, in my opinion, will save the State of Connecticut literally millions of dollars over the period of years in which we will be leasing or building property. Consequently, without going any further in details, I'll file a copy of the report. It speaks for itself, and I urge your acceptance of the report, as Governor Grasso has. Thank you very much.

SEN. HOULEY: Thank you. Are there questions of the Committee to Mr. Dice? Okay. I think the next person wishing to offer testimony is Commissioner Weinerman. I believe you're on the sign-up sheet. Would you like to proceed, Commissioner?

MR. WEINERMAN: My name is Robert A. Weinerman, Commissioner of Public Works. And I wish to testify about Bill 8145, in opposition, "An Act Implementing the Report of the Appropriations Committee".

I have, with my staff, carefully examined this bill. I have read all 59 pages of it. And we feel that we must oppose it, and I'm afraid I'll have to take more than just a few minutes to explain our position, because I want to be constructive.

I do not come here with the idea of battling this Committee. It is obviously not my role. But I would like to first tell you what we are doing positively within the executive branch of government to demonstrate that we are just as concerned about correcting the imperfections and the irregularities in leasing procedures as the legislative branch. And after I spend a few minutes describing what we are doing in a positive way, I will then would like the opportunity to speak to the bill itself, to indicate why I feel that it is redundant and would not serve any useful purpose.

So far as the alleged violations that have taken place over the past many years that have given rise to the sub-committee on leasing and has led to the widespread reporting and investigating of activities, we are in complete accord, of course, and always have been, that these conclusions merit serious consideration. We also seem to feel, from reading the sub-committee report, which I have done carefully, that the alleged violations

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that are referred to there are violations that have been brought about by the activities of leading political figures; of aggressive and interested third party people; in some instances, on the part of elected members of the legislature; certainly, in other instances, on the part of commissioners appointed by the Governor; and in some instances, evidence seems to point in the direction of civil service people acting beyond the framework of the law.

As I say, these - I want to be careful to state our "alleged" concerns - I do not pretend to be able to have definitive knowledge. But there seems, obviously, to be enough evidence accumulated to suggest something important should be done. We feel that, in order to remedy these wrongs, the problem does not solve itself, but by saying to one branch of the executive department, particularly the Public Works Department, the blame is all yours. If we get rid of you and substitute in your place another body, another entity, everything will be all right.

We submit that this is the wrong way to approach this. You cannot legislate honesty. You cannot build integrity with language. It can only be done through the people that are given the responsibility to enforce the laws. So that, to take this responsibility for contracting and leasing and purchasing and planning away from the executive branch, and particularly away from the Public Works Department, is no guarantee that the abuses will, therefore, go away.

Now, we have done a good deal about these things. Together with the Governor's Office, on April 8th, we submitted to all agencies, to all members of the State government, to members of this Committee, our new statement on leasing policy. We disseminated this information to every newspaper in the State of Connecticut. We've tried to give it the widest possible circulation.

This policy, we felt, and the Governor concurred because it is largely the work of the Governor's Office, that the abuses set forth in the sub-committee's hearings were very adequately spoken to. We have set up safeguards. We have written into our procedures requirements that just - fear didn't exist strongly enough or weren't enforced in the past. For example, it is absolute policy in our Department today, and everybody in government, I think, is getting to understand this, that no individual outside of the Public Works Department has any authority or right to talk to a third person about leasing and prospective building, to advise a third person that some branch of government is interested in leasing a building. It is a direct violation of our new regulations to do this. My staff has been informed, and I can give you concrete evidence of how my staff people have reminded outside people of the fact that

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just tell us that you need a facility, just tell us where it is, just tell us how many square feet you need, and then do nothing else. It is our responsibility to find that space.

We have written into these regulations a provision that says when an agency needs additional space, we will first look around for available empty space either in State-owned buildings or in State-held leases in which the space is empty. Now, we, again, I think I can cite concrete evidence of a particular agency that wants to move to a certain location, which would create a new lease. We have made it very clear to them there is vacant space somewhere else, and that's where they have to go. If this agency doesn't like our decision, this agency is going to try to persuade us differently, I'm going to uphold my end of this bargain by insisting that they go.

We have written into these provisions that if there is an impasse, the problem goes to the Finance and Control Commissioner, who is the final arbiter in the matter. And it's likely that this might end up with him. We have stated that before we will sign a lease, the third party must sign an affidavit on the lease, stating that they have not spoken to anybody concerning this lease. Or, if they have spoken to someone, they must indicate who that party was. Also, they must indicate who the two owners of the property are. Another safeguard that might have eliminated some of the abuses of the past.

We have written a provision that states that the Appropriations Committee, your Committee, must be a signitor to every lease we sign. We no longer will permit a lease to become valid unless it is approved, not only by the Appropriations Committee, but also by Finance and Control, and also by the Attorney General. But in the past, the Attorney General only approved a lease as to form. Now we are asking the Attorney General to approve it as to substance, as well as to form.

We wholeheartedly agree with one of your bills that I will speak about later, which will invoke criminal penalties against people who violate these procedures. Again, I say we're doing these things because we have great respect for what you did, and your sub-leasing report, and all the time you spent, and I just hope I can demonstrate to you that we intend to do this dilligently.

This present administration, since March, has, I think, developed a very good reputation in working among themselves. I'm speaking now about the executive branch. The newly appointed commissioners have developed a very good rapport with one another. We are working closely with each other on planning. I am particularly involved with this, because the Public Works Department, because of the way we're structured, cuts across all levels of executive

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activity. Any other agency in the government that plans in terms of land acquisition, building construction, or rental, must deal with us. And, therefore, I think I can speak knowingly when I say that there has been a lot of cross-communication among the various State agencies, and I think things are working out well.

For example, if an agency wants to lease a space because of a new program, and this again grows out of our leasing policy of April 8th, and they do not have the funds in their budget, as you, I hope, know, we're not going to approve any lease. That is, without your approval, first. Because we don't want to come back here again with a big deficit. I just don't want to face you again and have to explain why we spent \$940,000. If I do, I hope I'll be able to say well, you let me go ahead and prepare a lease with a given department because you saw the need and therefore, let us split it.

But, I just hope that it won't happen that we capriciously or without consulting with anybody, allow somebody to move into space merely because they thought they had an important program. So, unless there is funds available, either in our budget or the agency's budget, we're just not going to consider that lease unless you approve and are cognizant of the fact that the money will have to come from somewhere. And as I mentioned, we're telling everybody that they must, they want to move to a given city that has space, they've got to fill that space.

So we've worked with all the agencies. Finance and Control, Commission on Higher Education, the Community College Boards, the Tech Boards, and we're talking about long-range planning with them. They want to grow, they want to move, they want to get out of rented quarters, they want to improve their facilities, and I think it's healthy that we are sitting down with them and with Finance and Control and we're looking down the road. Because one of the things that I have noticed since I have been in office is that some projects took two or three or four years in planning, and all of a sudden in the last two or three months, it became a crisis. And crisis decisions were made. And they often times were not good decisions. And they are decisions we are living with now, and wish we didn't have. And I think if we would plan more effectively and I know this is what your bill speaks to, and that's why I'm talking about it, I just want you to know that we on the executive side are working very hard in this regard and we are planning ahead and we are talking to each other about our plans.

We've worked closely with other agencies. We have just signed a contract for the military for a new solar-heated armory in Norwich. I think this is an excellent example of how two executive departments can work well together. General Freund, the Adjutant General, was very much interested in this being a pilot program that will set an example around the country for how to do a good job with

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solar energy. When we selected the architect and the designers for this, we sat and interviewed and among those who participated in those interviews with prospective architects, was General Freund himself, and members of my staff. And we think out of this we have engaged an architect and engineers who are of the finest quality and who will help us to create the first solar energy building in Connecticut that will be well conceived, and I'm sure, well designed.

Now, another major impact that is spoken to in your bill and is a problem that I understand the executive has been wrestling with for years, is who maintains a property inventory. Now, the way the statute is set up today, as Public Works Commissioner, I'm charged with that responsibility. According to statute, Finance and Control are charged with that responsibility. And according to the statutes, the Comptroller's Office is charged with this responsibility. In truth, none of us are doing the job the way it ought to be done. There is not a good State inventory kept.

Now, it isn't because we don't want to. I think I would like to just say it's a vastly complex thing to do. It's not hard to set up the computer apparatus. Finance and Control have done that. The problem is honest reporting. The problem is conscientious reporting. And what we find is that the agencies are just not cooperating and are just not forthcoming with the information. And, therefore, all our computers can spew out is what they have put into them and that's not always accurate information.

We've had conferences with Planning and Control. We think that the responsibility for total inventory ought to rest with Finance and Control. And we so testified before the State and Urban Development Committee. We're going to cooperate with them in giving them all the leasing data that they need. We're going to cooperate by telling them what vacancies might exist in State buildings in Greater Hartford that are under our direct control.

But something ought to be done to force other agencies - all the other agencies in the State family - to monthly give Finance and Control that data that they have been most reluctant to do up to this point. If there's vacant space, say, in the Norwich Hospital, the computer doesn't know that until somebody tells it to the computer. And nobody can feed it into the computer until that agency makes the information known. And I want you to know that a State inventory is something we're aware of and that we're working very hard on.

Finally, I would like to say that all of this is done under the stewardship of the Governor. As the Chief Executive Officer of the State, every department in the executive is

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answerable to her. She is the captain of the ship. She is the one who sets the policy. And she is the one we have to answer to. And all of the things that I have alluded to up to now have been done in concert with her. And the Governor, in my judgement, ought to be the one that orchestrates these matters and these problems. Now, that's by way of background.

Now I'd like to speak to Bill 8145 and address myself to the 59 pages in here and ask responsibly, is this going to improve things any? Bill 8145 proposes to set up a State properties board. This board would be the sole agency authorized to represent the State in matters of leasing, contracting and acquiring property. This State properties board would be composed of five members, one of whom would be appointed by the Governor, two of whom would be appointed by the Speaker of the House, and the President Pro Tem of the Senate, and two of whom would be appointed by the Minority Leadership of the House and the Senate, as I understand it.

This is an independent board that would be independent of the Governor, independent of the executive branch, independent of the legislature, answerable only unto themselves. It would be comprised on five members who would have the complete responsibility for State planning, who would be responsible for all contracting, all leasing, all purchasing. They would be a part of the executive branch, but only for fiscal and budgetary purposes.

If, for example, this board decided that a certain lease ought to be negotiated, it does not have to get the permission of Finance and Control. It does not have to get the permission of the Appropriations Committee. It does not have to get the permission of the Attorney General. It is the final authority. It is a very powerful entity.

The bill does say that, in the event that there is a dispute between the properties board and a State agency as to what property to buy or what lease to make, and that can't be resolved, the agency does not choose to go along with it, then that dispute goes to the Governor. And the Governor becomes the arbitor, just as in our procedures, the Commissioner of Finance and Control becomes the arbitor. And I just would add parenthetically that this Commissioner of Finance and Control is, in effect, standing in for the Governor, as we all understand that.

So that this is a very powerful board that you are setting up. You are giving it enormous power. And it is, you are giving it the authority to hire an executive committee and to set up a very elaborate and extensive staff. You are setting up a monster, in my judgement. I'm sorry, I don't want to use that word. You're setting up a very powerful organization, which I hope to demonstrate parallels and duplicates and is doing what is actually being done now

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by the executive branch and the people who already are members of the executive branch.

Now, this new board will do everything that is now being done by existing State agencies and departments. According to Section 2 through 10, which outlines the activities of the board, the board will be responsible for all State planning. Any institution that wants to plan ahead, just as I have alluded to the fact that we're working with the Community Colleges in their plannings, we no longer will be able to work with them. Once they want a plan, that total planning operation will be done by this State properties board. The State properties board will be responsible for the State inventory that I spoke about before. They will take over all the computer operations and they will require the agencies to give the information. They will keep the inventory.

The State properties board will be responsible for all leasing. They will do all the things that I have alluded to. And I might add that if you read carefully the provisions of this bill, every one of the provisions that are in our April 8th policy statement are in this bill. And there is not one element of protection in this bill that is not already in our policy statement. So the focus is on who does it, not how we do it.

All contracting will be done by this State properties board. The Public Works Department will no longer have the right to make a contract with a contractor for the building of a State building. We can't even advertise for bids. We can merely prepare the drawings, and then when we think they're ready for bid, we would send that information to the State properties board and that's all we could do. They would take over from there. They would, as I understand it, they would have a contract section that would advertise for bids, take the bids, make the awards of contract.

They would affect all of the agencies. As you go through this 59 page bill, you will see that they have left no stone unturned. They have affected every single agency. This bill says the Department of Environmental Protection, the Department of Transportation, the Department of Public Works, Finance and Control, the Education, Military, Welfare, Health, Mental Health, Corrections, Housing - all the major State agencies are no longer going to be the complete masters of their own operation. They are all going to send their planning programs to this State properties board, which will then evaluate them, make a feasibility study on them, report back to them whether they agree or disagree, and all the agency can do is either accept it or disagree. And after a disagreement, if they can't resolve it, say to the Governor, you decide it. And, incidentally, up until that point, the Governor doesn't have a thing to say about these things.

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The Governor, obviously, can be involved with the agency when they initiate the program, but after the feasibility study, the Governor is just left out of it.

Now, it also speaks to the Connecticut Capitol Center Commission, which, as you know, is a body that regulates what's going to happen in this whole complex around the Capitol. Their entire function is now transferred over to this State properties board.

Now, the State properties board is a very expensive operation. If it is passed by this legislature. I think it could be a million dollar operation. A million dollars in new money would have to be appropriated by the legislature in order to make this function. The 5 members of the State properties board appointed by the legislature and the Governor would get collective salaries of \$112,500. The chairman would serve at a salary of \$24,900, and the other four members would serve with salaries of \$21,400. In addition to that, this properties board would appoint a full-time executive director, who, obviously, would be a salaried individual.

This full-time director would then be empowered to hire a full staff to do the work that has to be done, in order for the properties board to take intelligent votes on whether leasing should take place or planning should be approved, and so forth. And the law is specific. Who do they want as members of this staff? They want construction experts, they want financing experts, they want contracting experts, banking experts, architects and engineers, and a full legal staff. Well, in order to do this, you know you've got to get professionally trained people. They're going to have to be paid, and I can see a very large payroll necessary to intelligently do the job that this bill would ask the State properties board to do.

There's the matter of housing. Where is this giant operation going to be located? What facility are we going to free up to house them? That's going to cost money. If we have to go out and lease it, or if we have to build something, or create space somewhere. And certainly I would think it's logical that this board would be in the Hartford area. And there just isn't any vacant space in the Hartford area. So, housing is a major consideration.

Now, you might say that, okay, you're laying it on pretty thick. We can take people from the various departments. We'll transfer personnel. We'll take away Public Works Department's contract section and we'll take away DEP's experts and we'll take some members from the Adjutant General's. I just don't think you can do that. You can do it in part, of course, but we still have to function. We still have to have all of this. When I say "us", I mean the executive collectively. We still have to have our

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technical people. We still have to supervise construction once a job is underway and for that we need a contract section. We have to have legal advice. We've got to have experts and so do the other departments. So, I don't think you can create an agency by just taking people from other agencies. I think you've got to think in terms of enormous duplication. And I think you're talking about, maybe a million dollars.

Now, this is the new entity that was alluded to in the report. In the sub-committee's report, you talk about setting up a new entity. This is the answer to that. This State properties board is a new entity, but I just would like to say that if you read the bill as I understand it, this new entity becomes the sole agent to deal for the State. The checks and balances, as far as I understand it, just no longer exist in the way they do in the present setup. They set their own procedures. It's a very powerful entity that you're sending up.

Now, the bill was prepared by somebody going through all the State statutes and reviewing them and it seems that wherever they saw the word "Public Works Commissioner", they struck it and put in its place "State properties board", and wherever they saw the phrase "with the advice and consent of the Governor", they struck it and put in its place "State properties board are under the provisions of Section two". This has been very informative to me, because it's enabled me to learn an awful lot about how the other agencies work. Because they set out all the statutes here concerning the functioning of other agencies. but they have taken the power away from the Governor, from the commissioners, to act and put it with this new board.

And that's why the bill is really so voluminous, because you cite a great many of the statutes involving them. But there is one thing I would like to point out. There are serious technical deficiencies in this bill. For example, you take the contracting right away from the Public Works Department, and give it to the State properties board, but yet there is no mention in this bill of the pre-file bidding law that was passed by this legislature the last session. Sections 4-137a through 4-137h, which spells out pre-file bidding, is left out of this bill. Now, it's a technical thing. But I submit that there may be other such instances where the bill is deficient and would create problems.

I apologize for my lengthiness and I will conclude by noting that we fully subscribe to what you want to do. We respectfully submit that nothing new is added with this bill, other than to create one big agency to take the place of what the executive is now doing. We welcome a review board. By the way, this bill sets up an 18-man citizens committee to oversee the activities of the State properties board. We approve of that concept. We have testified to that regard.

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We are hardly in favor of bills 8499 and 5682 of the State and Urban Development Committee, each of which sets up some kind of a review board. I welcome this as the commissioner who's responsible for leasing. We're not infa-lible. I would very much like to have a review board that I am responsible to for approval of leases and approval of purchases of property. I hope that that feature does not get lost, and I hope that those bills do pass.

We are very much in favor of Bill 8468, which sets up criminal sanctions for anybody who talks about leasing, other than members of the Public Works Department. And I would say that we would cooperate fully with any study that this legislature would like to set up over the next year to look into the whole range of matters that I've just been discussing to see how the executive can better get the job done. And make their report back to the next session of the legislature.

We want to do the same job that you do. We want to cooperate. We just don't think that taking this away from the executive will do the job. I'm not a lawyer, but I feel that you have invaded the separations of powers with this bill. You have taken away from the Governor and her commissioners the right to administer the laws. And I think the Constitution is clear that the legislature makes the laws, but the executive must carry them out. This sets up a free and independent agency that's not answerable to the Governor. It's not answerable to the executive. And I suggest that this might be an invasion of those legal rights.

That is my testimony, and in the words of an old and famous Englishman, I would just like to close by saying, I wasn't appointed a Commissioner to preside over the liquidation of the Public Works Department. Thank you very much.

SEN. HOULEY: Commissioner, thank you very much. Commissioner, I wonder if you would spend with us a couple of more minutes in your present chair and respond to what I think will be some general questions that are not in the form of debate at all, but rather one of informing all of us that will be looking at the bills before us. I'd like to refer the matter at this point to Representative Dice, please.  
Mr. Dice.

REP. DICE: Mr. Commissioner, thank you for your testimony and I think you have made some good suggestions as far as our bill is concerned, and of course, that's why we're having a public hearing. And in your testimony, however, I got the impression that maybe you're sort of taking this matter personally. And I hope you do not, because that is certainly not the intent and however we are concerned about making sure that our government operates properly and that if there happens to be a change of administration, no matter how it's changed to that extent, that the government continues to operate in

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that kind of a vein. So that, I think that what we're, maybe what we have looked at here for, is maybe what we consider, there's already a monster here and we're trying to do something in legislation to make sure that we don't continue the monster.

Now, while I'm at it, so that we know where we are on the record and the proceedings of this, are you speaking for the Governor also, when you're testifying here today? Did she approve these remarks, so that your testifying from her, or is this your viewpoint from your Commissioner stewardship of the Public Works Department?

MR. WEINERMAN: I have discussed this bill with the Governor. I have discussed it with Aaron Mentz, her legal advisor. I've discussed it with the Commissioner of Finance and Control. I have not cleared my remarks with them, however. They know I am testifying. They have asked me to testify, and they generally subscribe to the views that I have set forth. But they have not seen any written information as to what I have testified.

REP. DICE: So that, as I understand it, you've discussed your remarks with them, but they have not approved them as such.

MR. WEINERMAN: Yes.

REP. DICE: Now, one of the things that you did sort of press hard on, and I'm sort of interested in, is that currently it's my understanding that certain other departments of the government, such as the Education Department, has

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Have you done anything about that currently to bring that into line, so there's only one department of the State of Connecticut leasing or making arrangements for facilities?

MR. WEINERMAN: Yes. I hope I didn't create that impression. I didn't mean to. I meant that the Education Department do pass board resolutions stating their desire to rent space or buy property, but they do not in any way attempt to actually consummate these things. They then have contacted either the Public Works Department or Finance and Control and asked that their desires be implemented.

REP. DICE: Isn't it my understanding, though, they have the statutory right to do that. In other words, to make commitments themselves currently?

MR. WEINERMAN: May I ask Mr. Rosco?

MR. ROSCO: They don't have the right to negotiate. That's in our statutes. We're the only agency that has the right to negotiate.

REP. DICE: All right. So there are other departments now that can

SEN. HOULEY: Excuse me, please, Mr. Dice. Commissioner, please feel free to have, you know, your aides respond, but we'd like, for the record, to have such responses on tape, please.

If we could please go back, Mr. Dice, to the question and the response of Mr. Weiner's staff.

REP. DICE: Well, I think the question basically was, are there not other departments who currently have rights, under existing statutes, to be able to go out and contract for, or make commitments for, or take actions independent of your department as to the items in which we're discussing in this bill.

MR. ROSCO: My name is Edwin Rosco. I'm in the Public Works Department, and yes, there are many State agencies, including the Department of Transportation, including the Higher Education Commission, have the right to lease. But, in our statute, it says that the only people who can negotiate those leases, notwithstanding anything else in the other statutes of the Public Works Department. ; So, the negotiation right at the present time, Representative Dice, lies with us.

REP. DICE: I understand that, and I think that that's part of what our Committee report was addressed to, because there is a lot of division of authority at the present time on the existing statutes, and I think that's one of the problems that we find. But, Commissioner, another point that I'd sort of like to make. Because at least I'm under a different impression than you are about the Governor's right to participate in the many departments now. For example, it's my understanding the whole educational complex is set up with a separate board that operates independently, and when you come down to it, except by virtue of her office and ability to appoint people to the Department of Education, advise report, and the like, that her current authority is rather restricted too. And so I don't want to have the impression left here that we're creating something here that's entirely different and unknown to current government. Because a lot of the executive department is set up with independent agencies, with independent boards, such as is being created here. So that I respectfully would like to get on the record that we are not creating something that's new and different, to that extent, but we are creating, obviously, another independent agency.

Now, the other, one of the other matters I'd like to sort of approach, currently you say that you feel and you believe that Finance and Control is supposed to keep an inventory, but yet in your testimony, you indicated that your Department was going to be the ones, that whenever anybody had a request, would look over all the State-owned property and the State-leased property and give this requesting department back the information. Are you not sort of in an

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incongruous position, where you're saying, gee, some other departments ought to keep an inventory, but we're the Department that it ought to parcel out and look over the inventory. So if they don't keep one, you can say, gee, it's their fault. It's not ours. We don't have an inventory.

MR. WEINERMAN: May I answer that?

REP. DICE: Sure.

MR. WEINERMAN: This is precisely the kind of topic that we've been discussing with Finance and Control. Because they have the computer expertise and because they are therefore in a position to gather the information, it is agreed between us that they will keep the roster, the inventory, but when somebody comes to us with a request for space, we will merely pick up the telephone, call Finance and Control, and say give us a read out on what is going on in Meriden. Tell us what the existing vacant spots are in the Town of Meriden. The City of Meriden. Because we have a request for a lease. We would intend to check with them in every instance. Therefore, they will merely be the gatherer of the information, but we would utilize it.

REP. DICE: So, if there is an error or if there is a problem with keeping inventory, there is no central responsibility. You can say, gee, they didn't give us the right information. If somebody subsequently comes along and finds out something in Meriden that was available to the State, either it currently owns or operates, don't you really have a problem here? Because you have two departments, one which is supposed to be doing the work, and the other one is supposed to be keeping inventory, and the legislature and the Governor can't put our finger on it and say, it's your responsibility. How come you didn't get it done?

MR. WEINERMAN: Well, it's true. This has been a problem for many years and, Representative Dice, I don't know really yet how we can discipline people to cooperate with us. You're right. But I don't think we can do the job any better than any other agency can do it. It's a very serious discipline problem, and we all together have to try to figure out how we can force agencies to give complete information.

REP. DICE: Well, I think that was one of the other problems I'd like to sort of like to touch a little bit in this sense. Currently I understand the Auditors do go into the departments and when they go into the departments, one of the things they are supposed to do is to check and look as to the inventory and the property inventory the departments have. And it does seem to me that currently, since there is apparently no central inventory and no department is responsible, there seems to be, at least if I understand it from the Auditors, a lackadaisical approach to it. If one department is responsible and could go back and say to

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the area when the Auditors come through, that you have been carrying too, isn't there some responsibility then on the Governor to say, you aren't doing your duties over here and the department's not taking inventory? Now we have it split up between so many functions of the government, that the Governor goes to try to say this department operator or that one, and everyone says it's not my fault. It's somebody else's fault.

MR. WEINERMAN: Well, I agree. Ed, would you like to talk to that?

MR. ROSCO: Representative Dice, at the present time, Finance and Control publishes an inventory. That inventory is dry and voluminous. It purports to include all State-leased property, all State buildings. The problem with the inventory is that we can't look at that and use it as a tool at the moment, because it doesn't tell us in Norwich State Hospital how much vacant space is there. When we get a lease, instead of leasing something in Norwich, we can go down and say, look, you've got vacant space. Use this. It's State space. That's where the problem lies. And I think what we're specifically asking this Committee to do is take that authority and give it to Finance and Control. And make them responsible.

REP. DICE: Well, thank you for the testimony, because I think that we're trying to do that, but not to Finance and Control, however. Let's take another matter. Just because I think we can get into a lot of detail, which are not necessary, but I'd sort of like to get some broad busts that you have on some of these different matters.

One thing that you indicated is that this new agency would run up substantial additional amounts for professional staff and such as that. I assume you're not saying that you don't have professional staff now, and you don't have experts on your staff currently, or other departments don't, that could handle these things.

MR. WEINERMAN: No, I think I said we did have such staff. We are doing the job now, but I suggested that we, every department could not give up all those personnel to this new State properties board, because there are still other functions that these people have to serve with the existing agency.

REP. DICE: Let's take another approach to that. Do you suppose there is a possibility when we take sections out of, or the people out of, say, Education and Corrections and Welfare and all the various departments that deal with this kind of a problem, and put them into one location, that we may just possibly, instead of costing money, save money because we don't have a duplication set up in each department to do the same thing. We'd have it all in one place.

MR. WEINERMAN: No. I don't see it quite that way. Because each department has to look at a planning problem from its own

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perspective. I assume that when the Community College Board or the Commission on Higher Education comes to us with a plan, they've already spent a lot of time going over that plan and determining that it's in their best interest. We, as another agency, look at it from another point of view. We look at it from the point of view of is the land a desirable place? Is the land cost accurate? What will it cost to build a building? That's the area which we'd focus on. Finance and Control looking at it from another point of view. They're interested in what are its budget implications. What will it do to the General Fund for the next five years?

So that, all of these planning people have to stay where they are to give it their specialized observations, it seems to me.

REP. DICE: But doesn't each department, in effect, have to look for those very things before it passes on to the other department? For example, I don't expect that Education, when they are contracting about leasing or thinking about leasing or building, that one, I'm sure they don't forget about how much it's going to cost or what it's going to do to the budget. They're pretty conscious people about those kinds of things. I think that they'd look at the locations, to that extent, and the like. So that it does seem to me that maybe there is a duplication.

MR. WEINERMAN: Well, I've been, of course, a professional builder for 25 years and I know, from my own experience, that owners are, get on cloud 9 when it comes to planning a new facility. Because everybody wants the best for themselves, because their purposes are noblest. So I think it takes a different perspective. And I think we can give it.

REP. DICE: That's why maybe we're suggesting that the report gives enough. One other matter before we do it. I really had the feeling that maybe you overstated a few matters as you indicated in the bill. For example, Section 2 does not require this board independently to do all the planning and everything, as I understood your testimony, but it sets up a procedure where it tells the agencies to get busy and see what their long-range requirements may be, and then turn it in to the board, who develops a total long-range plan for the State. And if we leave the arrangement as it is currently, for each department may or may not be doing planning, and as a matter of fact, the departments really, as I understand the current statutes, that they have some independence. They do not have to report to your Department as such. We don't have a coordinative planning unit, as is suggested by this bill.

MR. WEINERMAN: Yes, that's true. I agree that the State, the agencies do their own planning and then they submit them to this Department that does the review. And Section 2 says "all

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branches of the government of the State and its departments and subsidiaries, shall be required to notify the Board as to their real estate needs, including space and geographic location", and it goes on to talk about planning. It has to be initiated by the Board, by the agency.

REP. DICE: All right. Now, I think those are some of the broad things I was interested in in your comments. But I would like to suggest that if you do have any other technical matters, such as 4-137a through 4-137h, which I haven't looked at. I'm taking your word for it. Should be changed to that degree, I assume since your Department obviously have a rather real interest in this bill, that you have gone through it with your attorney with a rather fine toothcomb. So that, if you do have any other technical matters that need to be changed about this, I would assume that you would have them available now and could submit them to us so that if we decided to do something with this bill, we could clarify it to the greatest extent, and I would appreciate it.

MR. WEINERMAN: Yes.

REP. DICE: Thank you, Mr. Commissioner.

SEN. HOULEY: We were not, Mr. Dice, laughing at your remarks. We had a separate conversation. Honest. I just wanted to assure you of that. We'll turn to Mr. Mannix, but prior to that, just to kind of change the pace of it here, you know, in your testimony, Commissioner, you mentioned that the bill was deficient because of the space problem, the personnel problem. And just so that we'll all understand, what we had in mind was your offices. (LAUGHTER.)

MR. WEINERMAN: Do you have in mind a job for me? (MORE LAUGHTER.)

SEN. HOULEY: Yes. Maintenance, too. (LAUGHTER.) No, that's facetious. Let the records show that was facetious. Mr. Mannix, please.

REP. MANNIX: Thank you, Mr. Chairman. Commissioner, I'll try to be as brief as possible, and I'd like to just comment on a few things. And perhaps you could reply, if you see fit.

Initially, you had brought up some deficiencies in this bill. There are no questions about it. There are some deficiencies. And unfortunately for us in the State of Connecticut, probably 90% of the bills that are passed have some deficiencies, and they are picked up. Hopefully, in the future. That's why so many amendments come through here. But seriously, you have pointed out some real deficiencies and some real problems, in my opinion.

You seem to hang your hat, if I may use that term, on new regulations. That's the sort of theme at least I got from

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you. I'm sure you are aware that back - and I don't know the exact date - but it was about 1968, new regulations were instituted by Governor Dempsey's administration for the Department of Public Works in the leasing area. And one of the problems that we have and the reason that we're here today is that these regulations were violated. Granted, there weren't any criminal penalties, but they were violated apparently from testimony we received time after time after time. And I'm a great believer in trying to learn from history, as we all are, I'm sure. And it seems to me that just establishing new regulations, and you're not going to be here forever, unfortunately - I wish you were. We probably wouldn't be here. I know we wouldn't be here if you had been in for the last 10 or 15 years. And it's our job not to look to what administration, but to look for a long period. And it seems to me that we did have new regulations and I assume and I grant that we didn't have criminal penalties, and we've got ourselves into one heck of a mess.

Do you have any comment?

MR. WEINERMAN: Yes, sir. Our Department has what is called a technical manual that describes the responsibilities of all its sections. And I absolutely agree with you. As I read through the leasing manual, it spells out most of the things that we're talking about.

The problem, as I view it, was that that information was not disseminated among the other agencies of the government. The Commissioner of Transportation, or DEP, or whatever, didn't know about those regulations. So that, as I learn by reading your sub-committee report, so many of the alleged violations occurred without our Department. Sometimes when our people consummated a lease, the conclusion had already been drawn before it was sent over to the Public Works Department.

Every time that, it would appear to me, that the agency would merely reject a site, reject until they got the site that they wanted because of a prearranged agreement. All I've done through my Department with my staff is take these technical regulations, take the Governor's traditional input, and circulated it. I think the difference is that the first time every other commissioner and every head of every agency knows what the rules are. I think that's an improvement.

Yeah, you're right. They're all there. There's nothing new. It was kept, unfortunately, just within the confines of the Department.

REP. MANNIX: Let me just go on briefly to several other points here. One was review. You talk about review and the importance of review. And I agree with you. And I remember during my

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investigation on some of this problem, I ended up in one of the major departments that was charged with the review. And they said yes, we reviewed these things very carefully. But the question is, did they review them? Sometimes you have to review and review, particularly when you're talking about the kind of money that's involved in contracting, construction and leasing.

You mentioned the expense. Another point that you made of this new body that we're attempting to establish. I believe Dick Dice mentioned that at this point. I think the expense, frankly, would be very, very cheap considering the amount of money that could be saved by the instituting of this new program. If you remember, there was an investigation into leasing back in 1972. At that time, many of these things were brought out to the public in the papers and nothing was really done about it, as you well know.

You mentioned - and I think it's a good point - and we always have to use this as a yardstick - you said, is this new program, this new body, this new bill. Is it going to improve things? That's really what we all have to really consider when we pass legislation on it. Are things going to be better in the State of Connecticut? My opinion is that there's only one way we can go in this area.

Finally, the system hasn't really worked in the past. Even though we've had regulations, it just hasn't worked. And I think that we have to take a giant step to changing this system. Regulations aren't going to solve it. And I appreciate all the things you said, however, I respectfully disagree.

SEN. HOULEY: Mr. Shea, please. Incidentally, I might add that Mr. Shea is a member of State and Urban Development. I believe that is correct.

REP. SHEA: Thank you, Mr. Chairman. And I might also add, I'm also a member of Government Administration and Policy. I have finally discovered how one can be in three places at the same time up here. (LAUGHTER.)

Commissioner, this is the second hearing on leasing that we have both attended. And I will be somewhat brief, but I want to lock into your particular comments on the inventory and your indication of how you would see. And I would expect, how you now see the Department to work with Finance and Control on inventory. Let me ask a particular question first. Are you now, since you have taken over the Department, utilizing the inventory of Finance and Control?

MR. WEINERMAN: We do every time we consider a new lease, we make contact with Finance and Control. We get the information that they

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have. And they are always quick to point out that it's only as good as the input. But we do utilize it. Yes. Right now.

REP. SHEA: How do you find that input, or how complete, for your uses, do you find the inventory of Finance and Control?

MR. WEINERMAN: May I ask that Mr. Rosco answer that?

REP. SHEA: Certainly, Commissioner.

MR. ROSCO: Representative Shea, it needs considerable improvement. As a tool for leasing or finding space, one of the things that we need to know is, is there vacant space in a specific State building. Where the building exists really doesn't matter to us, but is there vacant space we can utilize. That's the tool of the leasing agent, and the Department must have. Present inventory really doesn't address itself to that question specifically. Or to provide us with a useful to go out and determine where is vacant space in State facilities. It needs improvement. There's no question, Representative.

REP. SHEA: Now, do you feel that the lack of this information is merely because Finance and Control has not sought this information? It is merely a refinement of the inventory they now produce?

MR. ROSCO: I think basically that you're going to have to have people go out in the field and visit every State institution to make this determination. I think Finance and Control, if they're really going to run an adequate program, it's going to need additional personnel to do it. Because we cannot rely upon the heads of State agencies. We've asked them. How much vacant space do you have? The answer we get back, as Commissioner Weinerman points out, is none. When we physically go down and look, we can find vacancies. So, I mean that's one of the problems. Honest and conscientious reporting of vacant space. And it is a serious problem.

REP. SHEA: Now, either Commissioner or Mr. Rosco, if I recall correctly your testimony in previous hearings, you stated that in the inventory that was attempted by the Department of Public Works was inadequate and primarily because of any lack of authority of requesting information from other departments, or - if I can put it another way - receiving the information that you needed from other departments.

MR. ROSCO: Yes, sir. That's correct.

REP. SHEA: Okay. Now, do you find that the Finance and Control inventory, first of all, is it better than the inventory that was attempted by Public Works? And, secondly, do you feel that they have the same difficulty with other departments within the State?

- MR. ROSCO: The answer is yes to both questions. It is better than we were able to derive, and point number two, I think they have a very serious problem with all agencies in getting correct and conscientious information.
- REP. SHEA: And is this where you feel the primary lack of good information is?
- MR. ROSCO: Yes.
- REP. SHEA: Now, where you indicated you feel it would require a physical inventory in order to bring it up to date, and by physical, I mean travel to those locations and gather the information, I would assume by what you say that this would require a one-shot deal. And once it were accomplished, you would not have to keep going back, but could be updated. Am I correct in that assumption?
- MR. ROSCO: Yes. As long as we get conscientious reporting from then on. We can visit every State institution and determine what vacant space is there. A year later, they may vacate more space. So, somebody has to tell the computer. Somebody has to tell either Public Works or Finance and Control that this situation now exists. Yes we moved out of a building. It's vacant. You can use it.
- A one-shot deal is not going to do that, because it has to be, you have to update that and if we can get conscientious reporting from the heads of agencies, I think, we won't have to send people back. Just maybe make spot checks occasionally, but, you know, we don't have to have a continual team going out.
- REP. SHEA: So, therefore, you're saying departments should be required.
- MR. ROSCO: Absolutely.
- REP. SHEA: Thank you, Mr. Chairman. I have no other questions.
- MR. WEINERMAN: I think the emphasis on the word "required" is very timely. That, if the agencies would be required to submit this information, I think we'd take a giant step forward.
- UNIDENTIFIED SPEAKER: How could they move without you knowing it anyway?
- MR. WEINERMAN: Programs evaporate. We have no way of knowing that. They could get transferred somewhere else.
- REP. GROppo: Commissioner, Senator Houley has been just called down to the Governor's Office, and I have to follow. But before I go, I want to make a couple of observations of some of the remarks that you made.
- First of all, when were you sworn in as Commissioner?
- MR. WEINREMAN: March 1st. 1975.

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REP. GROPPPO: March 1, 1975. And on April 8th, you came out with a new leasing policy. Right?

MR. WEINERMAN: Yes.

REP. GROPPPO: I think I have to agree with Representative Mannix that, you know, maybe if you were aboard over the years, that we wouldn't be here today. But there is a problem. And you have to admit that the members that sat on this leasing for the past several months have made the problems aware that everyone's concerned now. I think there is some 12 or 15 bills introduced on leasing. Introduced by people that never heard the word before, until the news media and this Committee made aware the problem that exists in this State.

I think that this Committee has sent a message to you and you are sending this message to your various agencies that you have to find space for. When we deleted your deficiency request some several months ago from the total deficiency appropriation. And then we came back and made the funds available, because we found out that some of the money was, had to be used for contracts that were negotiated without funds. But I think the message, Commissioner, from this Committee, to you through the different

(PART OF TESTIMONY LOST BETWEEN TAPES.)

is living, and that no money will be made available for deficiencies for contracts negotiated without the funds being in their budget. And I'm sure when I say that I say that for all the members of this Committee who have worked very, very hard on the budget and on, particularly your department.

I think in your pointing out some of the deficiencies with the bill that's introduced by the members of the leasing investigation committee, that you said we were taking a lot of power away from the executive. Well, you know, maybe as Mr. Dice stated, that during the investigation, no one knew who had the power. And maybe no one could find out who has the power, and who has the power is going to use it. But we're concerned, because I'm sure you won't be in that position for the rest of your life. I wish you could be, because I'm sure you're doing an outstanding job in the short time you have been there.

Somebody has to be made responsible. We have to be responsible in our positions, you have to be responsible in yours, and you have been. And I commend you for that. But we do have to get the word to the agencies that they have to be responsible by giving you that inventory. That's an area we're going to work on. That's an area we're going to have to clear up.

I hope that maybe the down under we're having here this morning will clear the air on a lot of the points you made.

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But, unless something was done by this Committee, the air would never clear.

I just want to close by saying that I would appreciate it if you would get the message back to the agencies that we, this Appropriations Committee, means business as long as we're in office. And I'm going to have to be excused, and Representative Bonetti will take over for now until we get back. Thank you.

MR. WEINERMAN: Well, you have my assurances, Representative Groppo, that we are, and we will continue, to share your concern about this and work to see that the letter of the law is carried out and pass the word to the agencies.

REP. GROPPPO: Thank you.

REP. BONETTI: Representative Glassman.

REP. GLASSMAN: Commissioner, I would like to clear up a vagueness in my own mind. Right now the Public Works Department does not have the power to verify a need of a request by a various agency or department? They merely sort of process the need? Is that correct?

MR. ROSCO: When a request is made by the agency, what specifically happens is that that request is referred to Finance and Control in the form of what is called exhibit A. Finance and Control has two duties at that point. One, they are to determine whether there's a need. And, two, they are to determine whether there is money in the budget to fulfill that need. Now, if they approve that so-called exhibit A, and send it back to us, then we then we are assured that there is money in the budget and that there is an ongoing program and a need.

REP. GLASSMAN: In other words, there's no, the Public Works Department does not have the power to check the request and to make a recommendation to Finance and Control, as to the authenticity or the actual need for the request by the various departments or agencies?

MR. ROSCO: No. We basically don't, sir.

REP. GLASSMAN: You don't.

MR. ROSCO: As to lease space.

REP. GLASSMAN: That seems to be an area that might need some correcting right there.

MR. WEINERMAN: I might add to that. In the absence to what the statutes might say, we have, as I said in the beginning of my testimony, worked rather closely with the Commissioner on Higher Education, for example, and the boards, and we have had

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meetings so that, even though we can't force them to do things, we are discussing these things with them. And we hope in the long run it'll prove beneficial.

REP. GLASSMAN: But as it exists now, there's no requirement that they do this.

MR. WEINERMAN: No. Apparently there's a difference between cooperation and a mandate to do this.

REP. GLASSMAN: But the degree of cooperation varies considerably.

MR. WEINERMAN: Yes.

REP. GLASSMAN: Thank you very much.

REP. BONETTI: Any further questions of the Commissioner? Representative Matties.

REP. MATTIES: Representative Matties, 20th District. Commissioner, if I recall, the Department of Public Works has the responsibility for the maintenance of most of the State-owned or leased buildings. Is that correct?

MR. WEINERMAN: The maintenance of all buildings in the City of Hartford are our responsibility by statute. Not buildings outside the City of Hartford.

REP. MATTIES: Who has that responsibility?

MR. WEINERMAN: The Department for whom the lease is made.

REP. MATTIES: All right. Just leading toward the, getting back toward the inventory, that would seem like the best area to inventory, just to get to each maintenance person in that building, you wouldn't have to rely on anyone else but them.

MR. WEINERMAN: That's an excellent idea. Basically, our responsibility is for maintaining buildings in the Hartford area and the courthouses. By statute, we are charged with those two areas of responsibility to maintain buildings. State buildings.

That's good. That's a perfect way to get it. Every building superintendent ought to be required to send in a monthly report stating the occupancy of that facility. That's a very good idea.

REP. DICE: Just to follow that up, since you aren't responsible for the maintenance of those buildings outside the area, what would be the problem if we transferred to you that responsibility and took it away from the other departments, to that extent? What would that do to your present operation and the way the government operates, including the other various departments. Obviously, we'd be transferring some money out of their budgets into your budget, but besides that, what would happen if we centralized the

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maintenance in the Public Works Department?

MR. WEINERMAN: It would just add greatly to our workload in building and grounds. We'd need a lot, you know, of personnel. It wouldn't change it, except add immensely to our responsibility.

REP. DICE: We would shift from the other departments, then, personnel and funds, which are currently in the budget, so we should not have any budgetary effect, should it?

MR. WEINERMAN: No. I wouldn't think so.

REP. DICE: But it would centralize in one place the maintenance, so we could have an inventory taken, such as Mr. Matties is suggesting?

MR. WEINERMAN: Yes.

REP. DICE: Would you think that if we brought the bill that we're suggesting here out of the Committee, that that should be an adjunct to the bill for the purpose of straightening out and centralizing that problem?

MR. WEINERMAN: Well, I would prefer that there would be ways in which the department heads could, by regulation, require the superintendent to do it. It seems like a very big transfer of authority to achieve this. Short of anything else, I would have to agree with you, but I would, just as I said. I'm not here to liquidate the Department. I'm not here to increase it, either.

REP. DICE: Well, I think that we, and in all due respects, I think we're all looking for how government can operate best. Whether or not it liquidates or builds up a department is not our real concern here. Our real concern is how can we best serve the State of Connecticut, as taxpayers and its people. And my question was directed at that purpose and that overall design. Do you think this would be an improvement if it was done, regardless of whether you're a Commissioner over 5,000 people or 500?

MR. WEINERMAN: I would have to say you're right. Inasmuch as the leasing department is responsible for bringing the departments together in making the lease and if it's a long-term lease, in which there is maintenance, it probably is better that we have a handle on how the building is maintained and the reporting procedures.

REP. DICE: Thank you.

REP. BONETTI: Representative Glassman, you have one more question?

REP. GLASSMAN: Well, it doesn't have to do with the leases, but what about the equipment that goes into all the leased buildings and the purchased buildings that are maintained by the

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Public Works Department? Is that within your responsibility also?

MR. WEINERMAN: Well, maybe you could address yourself to that.

MR. ROSCO: Partly. When we sign the contract with a specific - take a State-owned building. When we sign a contract with a specific builder, there will be what is called in-contract equipment. That's usually building equipment. That's usually, you know, it's not desks or tables.

REP. GLASSMAN: I wasn't referring specifically to the desks, the tables, the other equipment. That's not

MR. ROSCO: The authority for that usually comes through the Purchasing Department of the Department of Finance and Control.

REP. GLASSMAN: Okay. Then that eliminates the need to ask some other questions.

REP. BONETTI: Representative Flynn.

REP. FLYNN: I would like to know. I'm going to ask a question here. Of course, I've had a bill in here. I wanted to give you people a little more responsibility, a little more work. And I want to put all the inventory of all State properties under Public Works. Well, I was talking about vacant buildings at the time. Inventory of State-owned buildings, because we have quite a few at Norwich State Hospital. I think we have 7 or 8 down there, maybe 11. But, what is the procedure now if an agency would like to have so much floor space, we'll say 50,000 feet of floor space, what is the procedure that you go through when an agency asks for this floor space. Do you go down and check the building, find out how much it would cost to renovate the building. Is that right?

MR. WEINERMAN: Yes. We receive

REP. FLYNN: How then, is this contract set up in renovating this building? As I understand, now I'm going to talk about one building down there that the Public Works went down there and they said it would cost around \$80,000 to renovate this building. I understand that they renovated the building for \$15,000, they let it out to a private contractor. Now, what is, why was it that much difference in how much it would cost? Public Works decided that it would cost \$80,000 and it only cost \$15,000. And it's a beautiful. I mean, they did set up. They got about 8 or 10 office spaces down there, this building is beautiful.

MR. WEINERMAN: When we get a request for space from an agency, we then, if it's over 5,000 feet, we advertise, and we must wait 60 days after we advertise, and then investigate each offer for space. Now, if in that proposal is a need for a good deal of renovation work, we have a design section, personnel

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attached to our leasing section, who prepare drawings showing the suggested changes. Now, when those drawings are completed, it is my understanding that we then have the prospective lessor give us a price as to what we estimates the renovation to be. Now, Ed, will you carry this further? How do we check that price, for example?

MR. KEEFE:

My name is Dennis A. Keefe. I'm a registered architect with the Department of Public Works. The particular building in Norwich Hospital - I think I know the building you're speaking about - the great discrepancy in prices I can't explain, except a little bit. If the people at the Hospital did renovate the building with their own forces, I would be fairly willing to say that the building does not comply with OSHA codes, designed to comply with the fire safety codes, and probably designed to comply with the State basic building codes, which is one of the responsibilities of the personnel of our Department. We have architects, engineers, review drawings and this is our concept. Is to have State buildings to comply with codes.

When an agency - let's say, such as - well, Norwich Hospital, since he was talking about that - filed in there with their own work forces, they probably do not include the cost of any materials. They probably do not include the cost of many things that our Department, when we made the original estimate, would not include. Again, I almost think that I know the building you're speaking of. In conjunction with one of the other requests of why we don't have a complete inventory on all our State spaces, I find that agencies do not like to tell us when they have vacant space. Because they're afraid we're going to use it. And they want to keep it to themselves. And, again, this particular building I think has been vacant for quite some time. We have actually had a request at one time to use it for another department, and the request was turned down by that particular agency.

I don't think they really had the need for the use. However, they did not want to give up the space. We, I think, in Public Works and I think I'll speak for the Commissioner, would like to have MORE control and MORE power over this type of thing, rather than a decrease in power. And when I say power, I don't know exactly what you're talking about statutory-wise. I think the statutes right now probably give us the power, but I would relay that to our attorney.

We have a new Commissioner. We have a new administration. And I think that we're doing one good job. We're really starting in the right direction. I don't think we need a 59-page bill to tell people what to do that we're already doing. It happens to me my personal feeling on the matter. Does that answer your question, or not?

REP. FLYNN: Yes. It does. Thank you.

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REP. BONETTI: Representative Dice.

REP. DICE: In the same line, one of the items that was brought before and became apparent in the investigation, was that the Department did not verify what the projected costs were and the cost on which the lease was based in which we leased substantial facilities, as a matter of fact, there was some question that in some of them, there was a discrepancy up to a half a million dollars or maybe even more. Now, what has your Department done to make sure that we don't get estimates that are that far off from the actual renovations costs in buildings? And then we base our leases on these inflated costs.

MR. WEINERMAN: Well, we have one such situation now, where we're waiting. We've completed the drawings for an agency that wants rented space and the drawings are in the hands of the prospective lessor. We have a costing department that has the expertise and the knowledge of pricing material. I would certainly, when I review it, would want to know that our costing department has had a hand in this. That we have reviewed the estimate of the prospective lessor to see whether or not his price is in line or not.

REP. DICE: All right. Let me ask

MR. WEINERMAN: We have that expertise.

REP. DICE: Then let's ask the ultimate question. Since we're all dealing with State funds, why is there not a provision in your contracts, in your leases, for you to be able to go back afterwards and audit his cost and adjust the price of the lease downward, if he hasn't spent the money? Why isn't that in here?

MR. WEINERMAN: I wish there were. Would you talk to that?

MR. ROSCO: Yeah. You point out a very good problem. And we're attempting to correct it by drawing language specifically in large leases, where they're going to be great - if they are any more. With a great deal of renovations to do just that. To go in and even possibly audit books, if necessary, because if too many did raise that problem and it is a major problem. It's one we have to correct.

REP. DICE: All right. Thank you.

REP. BONETTI: Representative Shea.

REP. SHEA: Thank you, Mr. Chairman. Since this is a joint hearing, I would like to speak for State and Urban Development and for Government Administration and Policy. Having heard the words of the Co-Chairman of Appropriations, Representative Groppo, I would indicate that, as a spokesman for the other

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two committees, that they concur with his statement. What has been discovered, quite honestly, is a lack of responsibility and from that, there's been a lack of control in the leasing. Now, why this has happened, I don't know.

But, what we are faced with is alleged abuses in leasing. I feel, as Representative Groppo said, it is incumbent on this Committee, and for that matter, on the legislature in this session, to face this problem and to legislate properly so that we have a system and a policy that will work, not only now, but for many years to come.

Thank you, Mr. Chairman.

REP. BONETTI: If there are no further questions of the Commissioner, thank you Commissioner. Keep up the good work. And we'll turn to Captain Day, from the Organized Crime Task Force.

CAPTAIN DAY: Thank you very much. Ladies and gentlemen. I'm Captain Richard Day. I'm the Director of the Statewide Organized Crime Investigative Task Force. And on behalf of the Task Force and the Department of State Police, we wish to oppose Raised Committee Bill 1730, which is "An Act Concerning a Government Investigation Commission as Recommended by the State Leasing Report of the Appropriations Committee".

I've been authorized to speak for Commissioner Leonard and, of course, I speak for the Task Force on my own behalf. In opposing this, simply on the grounds that it would be unnecessary and an expensive duplication of efforts of existing State agencies. We feel that you have the mechanisms, we have the agencies to do the job, and I think we ought to be given a chance to do that job. And be held accountable if we do not do our jobs.

And this bill, 1730, is almost an exact duplication of the bill which created my own agency. I don't see what can be accomplished by appointing other persons toward the same efforts. And then, of course, you have the officers of the Chief State's Attorney. You can refer to any government agency and any legislative agency can refer any situation which appears to be of a criminal nature to the Chief State's Attorney, or to my own Task Force, or to the Department of State Police, and we'll do the investigation.

I only come here. I know what your intent was, and I appreciate that, but I only come here today to offer whatever testimony I can to clarify anything that you believe that we are not able to do with the agencies that we have available to us.

Representative Dice, Representative Mannix, and your subcommittee on leasing did an excellent job in that leasing investigation. They subsequently turned that over to the Chief State's Attorney. And we're in conference with the

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and it appears to them to be relative to organized crime or official corruption, they can refer that to us. And this would include, I would believe, any legislative body, any legislative committee who, in the event they found somebody of a criminal or something unethical acts, they would refer them to us directly or preferably to the Chief State's Attorney's Office.

REP. MATTIES: So that, the lack of action in the past may have been that no one asked you?

CAPTAIN DAY: Pardon, sir?

REP. MATTIES: The lack of action in the past may have been due to the fact that no one asked you.

CAPTAIN DAY: That could very well be. Of course, we weren't in existence at that time, you see, and so that would be the reason. I suppose the biggest reason. But the State Police, I believe did get involved in that investigation at the time. I don't know what their results were.

REP. MATTIES: Thank you.

REP. BONETTI: Any further questions of Captain Day? Mr. Glassman.

REP. GLASSMAN: Captain, you just made a statement that you can initiate?

CAPTAIN DAY: On our own initiative? Yes, sir.

REP. GLASSMAN: Have you ever done this?

CAPTAIN DAY: Yes, sir. In several instances, yes, sir.

REP. GLASSMAN: Thank you.

REP. BONETTI: Any further questions? Thank you very much, Captain Day. And next on the speaking list is Bill Barone, who, I'm sure will keep it very brief.

MR. BARONE: I intend to be. My name is Bill Barone. I am a former State leasing agent and presently a commercial and industrial real estate broker, statewide, I might add.

I'd just like to make some comments relative to House Bill 8145. I think basically it's a good bill, in that the overall intention of the Committee is to centralize and coordinate all real estate acquisition by the State, whether by lease or by sale or otherwise. I think it addresses itself quite adequately to that. I'm generally in favor of it. I just want to limit my comments to a couple of provisions of the bill. And I just want to add, based on my background and based on my experience.

Section 2 on page 3 down at the bottom of the page, subsection b, I think it says

REP. BONETTI: Would you please give us the line?

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MR. BARONE: I take that back. I'm referring to the wrong section. Page 5, Section 3, sub-division c. I'd like to read it.

Item No. 2 of (c), it says "if it appears to the board that the space needs of the requesting agency are less than five thousand, the board shall, wherever practical, carry on advertising, in accordance with section 28 of this act". I think it means that any space demands on the part of the State will be advertised wherever practical. If it's less than 5,000 feet, I think it should be clearly stated that all space requests or demands should be advertised, irrespective of the amount. I think it should clearly set forth. Why this magic? Why this floor of advertising in excess of 5,000 square feet?

In our business, 2,000, 3,000, 4,000 feet, 4,500 feet is a substantial amount. I would certainly like to have a multitude of lease deals times 3,000 square feet. I think I would make a good yearly living.

I'm not sure that it's clear, because this section (c) says wherever it's practical. I think it's always practical and necessary that the State advertise irrespective of the amount. Section 28 seems to indicate that we're going to stay with the advertisement or proceed to advertise if it's 5,000 or in excess of that. Now, I'm only concerned that you should, the State should advertise irrespective of the amount. The federal government, whom I deal with pretty substantially, advertises irrespective of the amount of space.

I got our real estate trade journal, an issue, a recent issue. I think it's March 28th. And I will present it as part of testimony to indicate that the federal government does advertise. This particular ad, this particular edition has substantial advertising by the federal government. And I'd like to read from it. I'd just like to read one typical ad. Here the federal government in the New England Real Estate Journal, and I might add in section 28 of this proposed act, you are indicating that it be put in newspapers of substantial circulation. I think you should also add that it be put in a real estate trade journal that has statewide coverage, because I move all over the State. My business crosses city and town lines. I have property everywhere in the State.

Now, to continue with the typical ad of the federal government. In broad, heavy type at the top of the ad, it says "Lease Office Space". In this particular ad, it's Framingham, Mass. They also advertise in Providence, Rhode Island. They also advertise in Bedford, Mass. "The United States government", and I'm reading directly from the ad, "desires to lease approximately 525 square feet of modern air conditioned office space for a 2-year term, with two 2-year renewals. The government reserves the right to cancel within 30 days notice during the renewal period.

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This is an inquiry for available space and is not to be construed as an invitation to bid. Written notice of available space must be submitted by the close of business of April 3, 1975." Then they go on to say, "occupancy is desired April 15, 1975 and space offered is to be located either in downtown central business district of Framingham or along Route 9. If further information is needed, please call the Government GSA's Office in Boston." And they give you the number.

They also advertise in Providence, Rhode Island for 19,000 square feet of space. They advertise very predominantly for 600 feet of space in Bedford, Massachusetts. In Medford, Massachusetts. And it's not only for lease acquisitions, there's another page here where the government is seeking land in Boston, is seeking land. And they give a clear and definitive description as to just what they're looking for, and they're asking that available sites be brought forth to them, irrespective of any invitation to bid that may come along later.

The point I want to make is, I think I've made it. Advertise irrespective of the amount. The other thing I want to address myself to and I'll leave this New England Real Estate Journal with the Committee, it's a recent copy, as I say. The other thing I want to address myself to is when they talk about taking on expert staff in the acts. They refer to real estate and appraisals is a very important and definitive part, an almost separate part. It's almost a comprehensive separate part of the real estate business. But appraisals, those experts in appraisals are not mentioned. And the reason I say that, I think if this act becomes a reality, and staff are put on, I think they should formulate rules, regulations. The Board should indicate policy relative to as the federal government does. They have a Bureau of Appraisal Evaluations, where they determine, after deals come through to them, specific rental fees or specific propositions come through to them, they analyze them. They evaluate them. In the light of appraisers giving their reports as to whether the rental rates quoted or the price quoted is in line with rates for comparable facilities in the immediate area. They do this all the time. And I think this is one of the things that are lacking in the present procedure. Even if it's retained, I think this is one of the things that's lacking is they don't justify, they don't have the expertise to justify and Ray Johns may take issue with this, but they don't have the expertise to justify as to whether the deal is fair, reasonable, equitable and in line with rental rates for comparable space in the immediate area. I mean, if you've got a deal, a substantial deal, or a small deal before you, before the State, can you justify this? Give us other locations that have a comparable space and what are they charging? And how does this compare to what we are about to approve? The government does this all the time before they give a commitment. I've been subjected to it many times.

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That's it basically. I just want to add those comments and I can, I've been concerned that that really hasn't been clarified. And I'd like to, for the purposes, clarify it. Thank you very much.

REP. BONETTI: Thank you very much. Any questions of Mr. Barone? Thank you, Mr. Barone. We next have Mr. Charles.

MR. CHARLES: I'm Searle F. Charles, Executive Director of the Regional Community Colleges. And ladies and gentlemen, I've come this morning to indicate concern about one or two aspects of the Proposed Bill 8145. And perhaps to get a clarification. I also would like to speak to the fact that as I read and interpret the bill, I am fearful that some of the key problems that have plagued the Community College Board of Trustees and myself and the Presidents of the Colleges, are not taken care of, or eliminated by the provisions of this bill.

We are particularly concerned with understanding more clearly concerning how the bill would affect our need to lease on short notice space in local high schools, Jewish community centers, Catholic youth centers, public places. And also limited space, such as was being talked about by the preceding speaker. If we are to implement even more effectively our responsibilities to become involved in job training and skilled training, with the current facilities we have on most of our campuses and the lack of space, it will mean that we should become involved in leasing of limited space areas, even more extensively than we have in the past few years. So, if there's any way it can be clarified for our understanding so we're clear that there's nothing happening here that's going to make it more difficult

in the procedural manner to do this in a short period of time, we would appreciate it and that I can talk with representatives separate from this discussion and we would be glad to immediately afterwards or otherwise. I just express it as a concern. We simply did not want to get boxed in by an elaborate procedure for those types of limited spaces. Secondly, I would like to comment in regard to the fact that in the recent study and report, one of the conclusions pertaining to the community colleges and their need for continued space, and the fact that that space has not been met as yet, and further, the report says on page 28, "an entire study of all higher education real estate acquisition should be made and consideration should be given to whether or not this area of acquisition is deserving of separate procedure." We do not think at this stage as we understand it, at least, because we have not had a chance to express our opinions yet and I do not think other constituent units of higher education have as to what really should be done to improve the procedures and the processes and the decision-making in the acquisition of property for public higher education in the State of Connecticut.

Frankly, the bill as drafted would tend to perpetuate what has been one of the key defects in the entire procedure. Let me speak rather candidly and frankly by using an illustration in connection with one of our colleges which involved in leasing and which has received a considerable amount of attention from the Leasing Investigating Committee. That is Greater Hartford Community College. The Board of Trustees and the staff is able and has planned for 6 and 8 years ahead for the development of each one of the community colleges and for the system of community colleges. We have been involved in hasty decisions to lease principally because no one wished to give sufficient attention to the careful planning and the thought that had gone into the needs of the community colleges insofar as space is concerned. We tried for example for the better part of 2½ years to get as much as one afternoon to discuss with the head of the Commissioner of Finance and Control and the Commissioner of Public Works our entire plan and concept of the facility needs of the community colleges and even with the help of staff from the Governor's Office, the most we ever succeeded in getting was one and one-half hours of which 45 minutes was devoted solely to one college.

In 1969, the Board of Trustees had a study made of a suitable location in connection with a Tech College Board of Trustees for the permanent campus of the Greater Hartford Community College and Hartford State Technical College. It received that report in connection with the Commission of Higher Education and made the decision as to a suitable property, the idea that there would also be a limited downtown center. The Department of Public Works and the

Attorney General's office during the next two years cooperated in acquisition of this property. The point was, however, that the decision was made at the highest level in the state, that there should not be acquisition of state-owned property of any consequence for community colleges. Therefore, neither the Technical College Board nor the Community College Board could begin to implement the development of that land and to plan for in an orderly fashion. We also came up with a proposal in 1972, carefully thought out, with a private higher education institution, within the city of Hartford for cooperative use of their facility which also on that same site, possessed additional land which could have been expanded insofar as construction was concerned in a limited fashion and it was an excellent location to serve the minority people in the city of Hartford, as well as downtown Hartford.

This would not have taken any property off the tax list of the city of Hartford. It would have allowed a limited downtown center to operate to meet that need and allow for orderly construction facilities on land already acquired. But the Board never had the cooperation or the support of other state agencies to expedite this, and since it did not, it finally had to give in to the fact of these certain students, an alternate suggestions which were made to it, one of which was, of course, the Phoenix Building. The Board of Trustees in the process was told carefully, that it was not to be responsible in connection with the cost factor. It was to make the determination in regard to the suitability for educational purposes which it did. I can cite other examples whereby the lack of the judgment and experience and know-how of people in the area of education and as Rep. Dice said earlier, also willing to keep an eye on costs per square foot and the amount of space.

We have not been allowed to carry through so I understand your interest in consolidating in putting perhaps a clear point where a responsibility can be placed. In reading the act, however, I am very much concerned but what one of the key problems would still exist and that is that those that know best as to what educational facilities are needed, when, would not make that final decision and that is my concern. Thank you.

REP. BONETTI: Rep. Dice has a few questions, Mr. Charles.

REP. DICE: Actually, I don't have any questions. I just want to comment that I think you have made some good points as far as the input of the Department is concerned. I think, however, the bill does try to consolidate so that we do not have one department trying to get facilities, having to go through Finance and Control and then a number of other places, at least I think it's the Committee's hope that by 1) requiring the departments to go ahead and plan, submit the plans to one location, that that party is centrally responsible for making available those funds. It would seem to me that you can get input from the department.

MR. CHARLES: O.K. Could I just come back and support the fact that in that aspect, in the sense of consolidation and putting more authority therein and bouncing from agency to agency, we think is an improvement.

REP. DICE: Now, in addition to that, there's one problem of this bill, I think we all acknowledge does not face and it's a problem that our structural government has and it's our hope that by doing this, there'll be more pressure where pressure should be applied from this particular agency and that is, the Legislature itself because I think the Legislature does have some responsibilities that it may not have been directly facing up to as to whether or not, we get busy and bond, or how we face the matter and instead we've been backing into it by virtue of having departments become in such a binding situation that they have to go to some other route, but I think that the bill makes it clear though that when it comes to space that we anticipate that the best way to get it for the state because it's the least costly by virtue of purchasing and that is our hope anyway, to pass it back to the Legislature after the department here, the properties board says that there is a need and this is the way it should be done; it's put it right smack back in the laps of the Legislature where it has to be ultimately to get the bonds up. So to give you a little bit of background of what the thinking was, it's our opinion, after working on this for such a long time that at least this is a start in that direction; we're open to other suggestions and at least as of now, I don't think I've heard any so that in response to some of your comments, I think they were good and I would hope that they would fit into the scheme that we've developed here.

REP. BONETTI: Thank you very much. If there are no further questions of Mr. Charles, our next speaker is Mr. Bill Heubner, followed by John Mulcahy.

MR. HEUBNER: Ladies and gentlemen, Bill Heubner, staff director of communications, Committee for the Conn. Construction Industries. I represent the construction industry and the multi disciplines allied with the construction industry plus the labor unions involved in the construction industry. In all we represent about 250,000 employees. We subscribe to Commissioner Weiner's opposition to Committee Bill 8145. I have known the Commissioner for 20 years, both as a newsman, a news editor, and now as construction industry man. He is a person of high integrity; if you need a policeman; he's an excellent policeman. We are concerned that any new super agency would just to the bureaucracy of the state. You will slow down vitally needed construction projects and it will to the cost because of delays. Our union members have declared moratoriums on further wage and fringe benefit increases. Some moratoriums are now going into their second year, because they're facing a 60% unemployment rate, and they want to be realistic and get back to work.

The disciplines within our industry have sharpened their pencils to give state and private jobs the best rate, the best bid, not only for the state but for the taxpayers as a whole. Again, we subscribe to Commissioner Weinerman's position. We are primarily concerned that any super agency will add to the cost of construction in Connecticut. Thank you.

REP. BONETTI: Thank you. Any questions of Mr. Heubner? If not, thank you very much. Mr. Mulcahy.

MR. MULCAHY: Mr. Chairman, members of the Committee, my name is John F. Mulcahy, Jr. I'm Deputy Chief State's Attorney, State of Connecticut. I appear today in opposition of raised Committee No. 1730 and our concern with government investigation commission. I simply wish to lend my reinforcement to Captain Day's very persuasive observations and remarks that the Commission, the Permanent Government Investigative Commission envisioned under bill 1730 is indeed duplicative of the statewide organized crime investigative task force. In 1973, the General Assembly here enacted Public Act No.592 and directed that a statewide organized crime investigative task force be established and that that particular agency would have the duty and responsibility to coordinate investigations and investigate the conduct of public officers and public employees and of officers and employees of public corporations and authorities and in any matter involving public justice. I would respectfully submit that a fair reading of a proposed legislation bill 1730 indicates that the quasi-executive commission to be established thereunder simply duplicates the precise duties and responsibilities which this General Assembly previously vested in the state organized crime, a task that particular agency has been established, steps have been taken to organize it, to implement its particular responsibilities and to staff it very adequately.

And at this point in time, particularly in these rather austere times, I would seriously question the advisability or the feasibility of establishing any agency which simply duplicates those responsibilities. The comment was made concerning the appointment of the head of the executive agency, specifically the Conn. State Police. I would respectfully again submit that the suggestion in that the Commissioner of the Conn. State Police Dept. is appointed by the Chief Executive of the State of Connecticut. I would suggest that that does not mean that a separate investigative commission and as I said, what amounts to quasi-executive commission under a fair reading of this proposed bill, simply because of the difference in appointment power or appointment source would be any more efficient in the investigation in matters of this sort. I certainly think that back for these many past years, the Connecticut State Police Department, that the Detective Division thereof and for the Detective Division, the Criminal Investigation



STATE OF CONNECTICUT  
PUBLIC WORKS DEPARTMENT

ROBERT A. WEINERMAN  
COMMISSIONER

April 30, 1975

State Office Building  
Hartford, Connecticut 06115  
203-566-3360

The Honorable Robert D. Houley, Senator  
The Honorable John G. Groppo, Representative  
Joint Chairmen  
Joint Appropriations Committee  
General Assembly  
State Capitol  
Hartford, Connecticut 06115

Gentlemen:

I wish to record my opposition to Committee Bill No. 8145 entitled, "An Act Implementing the Report of the Appropriations Committee's Special Subcommittee on Leasing". I oppose this bill for the following reasons:

1. The bill creates unnecessary expense. It would establish a group of highly paid part-time jobs in a time of fiscal austerity. The compensation to the five members of the State Properties Board alone would be \$112,500.00. In addition to this, a new super-agency would be imposed on the Public Works Department and other departments, and the cost of this new super-agency could run as much as one-half million to one million dollars, depending on its hiring practices. At a time when we are talking about cutting back State employees' pay and laying off employees, it would hardly seem appropriate to create such a super-agency.
2. The constitutionality of the bill is questionable. Under the State Constitution, the supreme executive power of the State is vested in the Governor. The bill, therefore, may intrude upon the separation of powers established by the Constitution.
3. The bill, as it now stands, is badly written in that it does not set forth a distinct and clear line of authority between the powers and duties of the State Properties Board and the powers and duties of other departments, including the Public Works Department. For example, the bill would vest in the State Properties Board the power to bid State construction projects and it changes certain sections of the General Statutes accordingly. The bill, however, does not mention or take into consideration Section 4-137a through 4-137h of the General Statutes, the so-called pre-file bid law. This is just one small example of the various deficiencies in this bill.

The Honorable Robert D. Houley, Senator  
The Honorable John G. Groppo, Representative  
April 30, 1975  
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4. I have read that this bill has been termed "kitchen sink" legislation. I believe this characterization of the bill is correct. A more clear, precise and definitive approach is required.

I am fully aware of the problems which the Special Subcommittee on Leasing encountered in its investigation and that certain abuses of leasing procedures have taken place in the past. My careful reading of the Subcommittee's report leads me to believe that most of the abuses took place outside the Public Works Department. Upon specific orders of the Governor, I directed, shortly after I took office, that certain reforms be instituted to eliminate such abuses. I attach a memorandum dated April 8, 1975 which summarizes some of these reforms. This Department has vigorously endorsed and strongly supported in principle Committee Bills 8499, 5682 and 8468. I believe Bill 8468 is a more comprehensive and effective solution to the problem of parties obtaining advance notice as to the State's leasing needs. I would also strongly urge and recommend a commission to review and approve State leases.

In addition, Committee Bill 8145 attempts to set up an overall State Planning Board to meet State space needs and construction of State facilities. The Department of Finance and Control has undertaken a review of all past capital projects authorized by previous General Assemblies. In conjunction with the Department of Public Works, the Department of Finance and Control has worked out a program under which, before a project is instituted, a careful, analytical review is made of the need for and requirements of the program and the effect of the program on the State's operating budget, both immediately and in the future. We believe that this type of review and planning will accomplish, without great expenditure of funds, the intent and purpose of those sections of the bill which deal with planning and a more reasoned approach to the problems of the State's space needs and capital projects.

In summary, I would submit the following recommendations for your consideration:

1. Passage of Raised Committee Bill No. 8468 as submitted by the State and Urban Development Committee.
2. Establishment of a commission to review and approve all State leases. Both Committee Bills 5682 and 8499 deal with this problem.
3. Establishment of a study committee to work closely with the Department of Finance and Control, Public Works Department and all other concerned State agencies to review the entire problem of planning, leasing and construction of State facilities and to report its recommendations to the 1976 General Assembly.

The Honorable Robert D. Houley, Senator  
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We will be happy to extend such a committee our wholehearted cooperation, as we have done with the Appropriations Committee in the past.

If I can be of any further assistance to you in this matter, please do not hesitate to contact me.

Sincerely,

PUBLIC WORKS DEPARTMENT

*Robert A. Weinerman*

Robert A. Weinerman  
Commissioner

RAW/ert  
cc: DJudd  
DKeefe  
ERoscoe  
Admin. File

### Interdepartment Message

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STO-201 REV. 3/74 STATE OF CONNECTICUT  
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|             |        |   |         |                                 |
|-------------|--------|---|---------|---------------------------------|
| <b>To</b>   | NAME   | All Heads of State Departments, Commissions | DATE    | April 8, 1975                   |
|             | AGENCY | and Boards                                  | ADDRESS | State of Connecticut            |
| <b>From</b> | NAME   | Robert A. Weirnerman                        | TITLE   | Commissioner                    |
|             | AGENCY | Public Works Department                     | ADDRESS | State Office Building, Room 491 |
| SUBJECT     |        | Leasing Policy                              |         |                                 |

We are bringing to the attention of all State agencies the following policy of the Public Works Department in connection with the leasing of space for State agencies. This policy has been reviewed and approved by Governor Grasso.

1. No State department, commission, or board shall negotiate for the leasing of space. The sole negotiating authority for the leasing of space shall be the appropriate members of the Department of Public Works, nor shall any department, commission, or board give notice in advance to any person of their leasing needs.

2. The approval of the Public Works Department, the Commissioner of Finance and Control, the Joint Committee on Appropriations and the Attorney General's approval as to substance shall be obtained before any lease is processed.

3. The suitability and need for space shall be determined by the Department of Public Works and if there is disagreement in this respect, then the Commissioner of Finance and Control shall mediate the dispute and his decision shall be final.

4. It shall be the policy of the Public Works Department to, whenever possible, assign space in State-owned facilities or in premises already under lease by the State.

5. Under no circumstances will this Department enter into a lease for an agency where the agency has failed to provide funds in its budget for the lease in question unless permission to consummate such a lease is obtained in writing from the chairman or other representative of the Joint Committee on Appropriations. Any moving expense which is not budgeted and will, therefore, cause a deficiency must receive prior written approval of the chairman or appropriate representative of the Joint Committee on Appropriations.

(more)

6. All lessors shall sign, under oath, a statement that they have not discussed any terms or conditions of the lease with anyone employed by the State or acting on behalf of the State other than those persons in the Department of Public Works authorized to negotiate said lease. If such is not the case, full disclosure as to whom they have discussed the lease with shall be made. The statement shall also include a disclosure of all persons with direct or indirect interest in the property. Further, said statement shall be a condition of the lease so that a violation thereof will be a breach of the lease.

*Robert A. Weinerman*  
RAWeinerman/rjo

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6B

### Interdepartment Message

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(more)

Leasing Policy  
Page 2

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