

Legislative History for Connecticut Act

HB 5294      PA 202      1979

Senate - p. 2276-2277, 2330-2331

House - p. 2936-2941, 3537-3544

Education - p. 568, 600-608

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CONNECTICUT  
GEN. ASSEMBLY  
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great difficulty in making a reverse annuity mortgage and, as a result, banks have not been in the practice; either they cannot or will not make these reverse annuity mortgages under the present Bill. Therefore, this Bill closes some of the loopholes and eliminates the problems that were in the Bill; the Bill that was passed by the last session of the legislature. Very briefly Mr. President, a reverse annuity mortgage, just by way of explanation, is an entirely different concept from the usual mortgage. Instead of the mortgagor making monthly payments to the bank, the bank makes monthly payments to the person who places the mortgage. It's a mortgage that is primarily intended to help elderly people who want a monthly income from a bank or lending institution to pledge their house as collateral and receive monthly payments from the bank and the mortgage is not payable until the person either dies or sells the property. And this Bill makes certain technical changes in the law as we already have it. If there are no questions or objections, I would move the Bill to the Consent Calendar.

THE CHAIR:

Discussion on the Bill? Objection to placing the item on Consent?

Hearing none, it is so ordered.

THE CLERK:

Calendar 615, File 130 and 408, Favorable Report of the Joint Standing Committee on Education, House Bill 5294, AN ACT CONCERNING THE ESTABLISHMENT OF A RESEARCH FOUNDATION WITHIN THE STATE COLLEGES, as amended by House Amendment, Schedule A.

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THE CHAIR:

Senator O'Leary.

SENATOR O'LEARY:

Mr. President, I move for acceptance and passage of the Joint Committee's Favorable Report.

THE CHAIR:

The question is on acceptance and passage of the item. Would you remark Senator, as amended by House A?

SENATOR O'LEARY:

Yes, Mr. President. This is a Bill which would enable the Board of Trustees of the State Colleges to establish and administer research foundations. The Bill defines the rights and obligations of the foundation which would hold in trust for the use of the State Colleges, all property placed in its custody. I believe this would do a great deal to attract qualified staff people to our State Colleges as well as the money necessary for their research. If there is no objection, I would move the Bill to today's Consent Calendar.

THE CHAIR:

Question on the Bill itself? Motion to place on Consent. Is there objection? Hearing none, it is so ordered.

THE CLERK:

Turning to page 21, top item on the page, Calendar 616, File 347, Favorable Report of the Joint Standing Committee on Education, Substitute

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it in conformity with Bills that we passed a number of weeks ago and if there is no objection, I move it to the Consent Calendar.

THE CHAIR:

Question on the Bill as amended? Hearing none - Opposition to the Motion to place on Consent? Hearing none, it is so ordered.

THE CLERK: SB 713, SB 1344, SB 1423, HB 7003, SB 465, SB 1383, HB 7115, HB 5555, HB 7726, HB 7780, HB 7850, HB 7851, HB 5334, HB 6191,

Clerk is ready to go over today's Consent Calendar. Would all Senators please return to the Chamber to vote on today's Consent Calendar. On page 5, Calendar 337, on page 7, Calendar 416. On page 8, Calendar 456, on page 9, Calendar 489. On page 10, Calendar 500. On page 12, Calendar 553. On page - Calendar 500 was a Roll Call. I apologize. Page 12, Calendar 553. Page 13, Calendars 567, 569, 570, 571 and 572. Page 14, Calendar 573, 574, 575, 576, 577. Page 15, Calendar 579, 581, 582, 583. Page 16, Calendar 584, 587, 588, 589. Page 17, Calendar 590, 592, 594. Page 18, Calendar 596, 599. Page 19, Calendar 605. Page 20, Calendar 612, 614, 615. Page 21, all items on the page, calendars 616, 617, 618, 619, and 620. Page 22, Calendar 622. Page 23, Calendar 627, 628, 629 and 630. Page 24, Calendar 631, 633, 634, 635. On page 25, all the items on the page, 636, 637, 638, 639, 640. On page 26, Calendar 645, 647, 648, 649. On page 27, Calendar 650, 652 and 654. On page 28, Calendar 655, 656, 659. On page 29, Calendar

662, 663, 667 and on page 54, Calendar 528. HB 6424, HB 7524, HB 7729, HB 6158, HB 7656, HB 5521, HB 6366, HB 6365, HB 7119, HB 7684, HB 5298, HB 6691, HB 7836,

THE CHAIR: HB 5483, HB 7419, SB 1231, HB 5329, HB 7776, HB 5294, HB 5887, HB 6336, HB 6188, HB 7331, HB 7916, HB 7731, HB 7201, HB 6377, HB 6906, HB 5711, HB 7614,

The machine will be opened. HB 7769, HB 7896, HB 5613, HB 5952, HB 6018, HB 5319, HB 5320, HB 7317, HB 7491, SB 372,

THE CLERK: SB 449, SB 869, SB 1468, SB 1474, SB 1543, SB 783, SB 389, SB 1099, SB 1359, SB 1533, SB 1605, SB 1607,

Roll Call is taking place in the Senate on today's Consent Calendar.

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Would all Senators please return to the Chamber. Roll Call in process in the Senate on today's Consent Calendar. Would all Senators please return to the Chamber.

Would all Senators please return to the Chamber to vote on today's Consent Calendar. All Senators, please return to the Chamber to vote on today's Consent Calendar.

THE CHAIR:

The machine is still opened. The machine is closed.

36 YEA

0 NAY

The Consent Calendar is adopted.

THE CLERK:

Clerk is ready to turn to page 51 of the Calendar, under the heading Unfavorable Reports, Senate Petition No. 56, Calendar 545, File 531, Unfavorable Report of the Joint Standing Committee on Environment, Substitute Senate Bill 163, AN ACT PROHIBITING THE USE OF STEEL JAW TRAPS.

THE CHAIR:

Senator Skowronski.

SENATOR SKOWRONSKI:

Mr. President, I move that the Unfavorable Report of the Environment Committee be sustained and the Bill and the Petition be defeated.

THE CHAIR:

Question is on sustaining the vote of the Committee, the Unfavorable

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CLERK:

Calendar page 2, Calendar No. 352, File No. 130,  
House Bill No. 5294, AN ACT CONCERNING THE ESTABLISHMENT OF A  
RESEARCH CORPORATION WITHIN THE STATE COLLEGE SYSTEM, favorable  
report of the Committee on Education.

REP. GOODWIN: (54th)

Mr. Speaker.

DEPUTY SPEAKER COATSWORTH:

Rep. Goodwin, Chairman of the Committee on Education.

REP. GOODWIN: (54th)

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

DEPUTY SPEAKER COATSWORTH:

Questions on acceptance of the Committee's favorable  
report and passage of the bill. Will you remark?

REP. GOODWIN: (54th)

Yes, Mr. Speaker. There is an amendment, LCO 6192.

DEPUTY SPEAKER COATSWORTH:

The Clerk please call.

REP. GOODWIN: (54th)

And may I summarize? I believe the amendment is 6192.

DEPUTY SPEAKER COATSWORTH:

Hereby designated House Amendment Schedule "A". LCO 6192.

CLERK:

LCO No. 6192 offered by Rep. Goodwin of the 54th,

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Rep. Wright of the 77th.

REP. GOODWIN: (54th)

Mr. Speaker.

DEPUTY SPEAKER COATSWORTH:

Rep. Goodwin seeks leave of the Chamber to summarize.

Is there objection? Hearing no objection, will you please proceed.

REP. GOODWIN: (54th)

Thank you, Mr. Speaker. Before I summarize, may I point out to you that some of you have copies of an LCO 6190 which is identical to 7192 except for the correction of one typo. That typo occurs on the top of page 2, line 47 where it says the University, you substitute state colleges and other than that, it is exactly the same LCO.

This amendment strikes out the bill in your file beginning after the enacting clause and substitutes verbatim, word for word, the language, except for the use of the words state colleges instead of university throughout, the language now in the statutes concerning the research foundation at the University of Connecticut. It places the research foundation under the direct control of the board of trustees. It makes it part of the state college administrative structure. It makes it subject to state regulations with respect to preaudit, purchasing, hiring and all the rest of it and it adopts from the University of Connecticut statute, the treatment of inventions that result from

research efforts undertaken at the state colleges.

invent It provides basically a machinery for the allocation of grants to individual faculty members in the state colleges for the conduct of research at those institutions. It would be attached to the central office of the state colleges and report directly to the board of trustees. I move adoption of the amendment.

DEPUTY SPEAKER COATSWORTH:

Questions on adoption of the amendment. Will you remark further? Will you remark further on the adoption of House Amendment Schedule "A". If not, all those in favor, please

indicate by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER COATSWORTH:

Those opposed no. The ayes have it. The amendment is

adopted and ruled substantive.

Strike everything after the enacting clause and insert the following in lieu thereof: (NEW) As used in sections 2 to 8, inclusive, of this act, "board" means the board of trustees of the state colleges; "foundation" means the research foundation established in accordance with section 2 of this act; "employee" means any member of the faculty or staff of the state colleges or the foundation, or any other employee thereof; "invention" means any invention or discovery and shall be divided into the following categories: A. Any invention conceived by one employee solely, or their equipment, facilities or personnel.

by employees jointly; B. Any invention conceived by one or more employees jointly with one or more other persons; C. Any invention conceived by one or more persons not employees.

Sec. 2. (NEW) The board is authorized to establish and manage the foundation as provided herein. The foundation may, subject to direction, regulation and authorization or ratification by the board: (1) Receive, solicit, contract for and collect, and hold in separate custody for purposes herein expressed or implied, endowments, donations, compensation and reimbursement, in the form of money paid or promised, services, materials, equipment or any other things tangible or intangible that may be acceptable to the foundation; (2) disburse funds acquired by the foundation from any source, for purposes of instruction, research, invention, discovery, development or engineering, for the dissemination of information related to such activities, and for other purposes approved by the board and consistent with sections 1 to 8, inclusive, of this act; (3) file and prosecute patent applications and obtain patents, relating to inventions or discoveries which the state colleges may be justly entitled to own or control, wholly or partly, under circumstances hereinafter defined; and receive and hold in separate custody, assignments, grants, licenses and other rights in respect to such inventions, discoveries, patent applications and patents; (4) make assignments, grants, licenses or other disposal, equitably in the public interest, of any rights owned, acquired or controlled by the foundation, in or to inventions, discoveries, patent applications and patents; and to charge therefor and collect, and to incorporate in funds in the custody of the foundation, reasonable compensation in such form and measure as the board authorizes or ratifies; and (5) execute contracts with employees or others for the purpose of carrying out the provisions of sections 1 to 8, inclusive, of this act. All property and rights of every character, tangible and intangible, placed in the custody of the foundation in accordance with said sections shall be held by the foundation in trust for the uses of the state colleges. The entire beneficial ownership thereof shall vest in the state colleges and the board shall exercise complete control thereof.

Sec. 3. (NEW) The state colleges shall be entitled to own, or to participate in the ownership of, and to place in the custody of the foundation to the extent of such ownership, any invention, on the following conditions: (a) The state colleges shall be entitled to own the entire right, title and interest in and to any invention in category A, in any instance in which such invention is conceived in the course of performance of customary or assigned duties of the employee inventor or inventors, or in which the invention emerges from any research, development or other program of the state colleges, or is conceived or developed wholly or partly at the expense of the state colleges, or with the aid of their equipment, facilities or personnel. In each such instance,

the employee inventor shall be deemed to be obligated, by reason of his employment by the state colleges, to disclose his invention fully and promptly to an authorized executive of the state colleges; to assign to the state colleges the entire right, title and interest in and to each invention in category A; to execute instruments of assignment to that effect; to execute such proper patent applications on such invention as may be requested by an authorized executive of the state colleges, and to give all reasonable aid in the prosecution of such patent applications and the procurement of patents thereon; (b) the state colleges shall have the rights defined in subsection (a) of this section with respect to inventions in category B, to the extent to which an employee has or employees have disposable interests therein; and to the same extent the employee or employees shall be obligated as defined in said subsection (a); (c) the state colleges shall have no right to inventions in category C, except as may be otherwise provided in contracts, express or implied, between the state colleges or the foundation and those entitled to the control of inventions in category C.

Sec. 4. (NEW) Each employee who conceives any invention and discharges his obligations to the state colleges as hereinbefore provided shall be entitled to share in any net proceeds that may be derived from the assignment, grant, license or other disposal of such invention. The amount of such net proceeds shall be computed by, or with the approval of, the board, with reasonable promptness after collection thereof, and after deducting from gross proceeds such costs and expenses as may be reasonably allocated to the particular invention or discovery. A minimum of twenty per cent of the amount of such net proceeds shall be paid to an employee who solely conceived or made the invention, and shall be paid in shares to two or more employees who jointly made the invention in such respective proportions as the board may determine. The board in its discretion may increase the amount by which any employee or employees may participate in such net proceeds.

Sec. 5. (NEW) Disagreements as to the allocation of any invention to one of said categories, or as to the obligations of any employee or due performance thereof, or as to participation of any employee in net proceeds, or as to rights or obligations with reference to inventions in any category, shall be disposed of as follows: (a) By voluntary arbitration of all relevant issues, if the disagreeing parties approve and agree to be bound by the decision upon such arbitration; (B) by compulsory arbitration if that is provided for in any applicable contract between the disagreeing parties; (c) by recourse to courts of appropriate jurisdiction within the state if arbitration cannot be resorted to under either subsection (a) or (b) of this section.

Sec. 6. (NEW) The board is authorized to establish and

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regulate, equitably in the public interest, such measures as the board deems necessary for the purposes of such arbitration, and to make contracts for compulsory arbitration, in the name of the state colleges or of the foundation.

Sec. 7. (NEW) The board is authorized to make and enforce regulations to govern the operations of the state colleges and the foundation in accordance with the provisions of sections 1 to 8, inclusive, of this act.

Sec. 8. (NEW) The provisions of sections 1 to 8, inclusive, of this act, shall not entitle the state colleges or the foundation to claim any literary, artistic, musical or other product of authorship covered by actual or potential copyright under the laws of the United States; but the state colleges and the foundation shall each be authorized to make and enforce any contract, express or implied, which it may make with reference to any such subject matter."

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REP. GOODWIN: (54th)

Mr. Speaker.

DEPUTY SPEAKER COATSWORTH:

The amendment has been ruled substantive and it will automatically proceed to the Legislative Commissioner's office and reappear in our files. The Clerk will please continue with the call of the Calendar.

CLERK:

Page 3, Calendar 389, File 167, substitute for House Bill No. 6564, AN ACT CONCERNING NONCONFORMING SIGNS, favorable report of the Committee on Planning and Development.

REP. GROPPA: (63rd)

Mr. Speaker.

DEPUTY SPEAKER COATSWORTH:

Rep. Groppo.

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REP. GROppo: (63rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. John Groppo.

REP. GROppo: (63rd)

May this item be recommitted to the Committee on Government Administration and Elections, please.

SPEAKER ABATE:

Is there objection to the motion? Is there objection to the motion to recommit? Hearing none, it is so ordered.

CLERK:

Calendar page 22, matter returned from the Legislative Commissioner, Calendar No. 352, File Nos. 130 and 408, House Bill No. <sup>5294</sup>~~5394~~, AN ACT CONCERNING THE ESTABLISHMENT OF A RESEARCH FOUNDATION WITHIN THE STATE COLLEGE SYSTEM, as amended by House Amendment Schedule "A", favorable report of the Committee on Education.

REP. GOODWIN: (54th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Goodwin.

REP. GOODWIN: (54th)

Thank you, Mr. Speaker. This bill was moved on April 11th I believe it was, and amended completely with an amendment that struck out all of the bill after the enacting clause and substituted

another amendment. That amendment passed on a voice vote and was printed in the Journal for April 11. It then went to the Legislative Commissioner's office because it was a substantive amendment. I would like to now move the bill as amended.

SPEAKER ABATE:

Will you remark on the bill? Will you remark further on the bill? If not, would all the members please be seated.

REP. HANLON: (70th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Hanlon.

REP. HANLON: (70th)

Through you, Mr. Speaker, a question to the lady reporting the bill out.

SPEAKER ABATE:

State your question please, sir.

REP. HANLON: (70th)

Through you, Mr. Speaker, I have just had an opportunity very quickly to look at the fiscal note and I'm not sure that I have read it properly or understand its import but, through you, is it my understanding that enactment of this legislation could involve a cost of approximately \$45,000?

REP. GOODWIN: (54th)

Through you, Mr. Speaker.

SPEAKER ABATE:

Rep. Goodwin, will you respond?

REP. GOODWIN: (54th)

This is what the fiscal note says. I think the fiscal note is a kind of hybrid fiscal note between the original bill which was very different from this and from this amendment. As I see it, there would be no necessary cost in this coming year because all that would be necessary in this coming year would be the amount of release time necessary to make application for the grants and I don't think you have to do very much accounting until you get the money. I suspect that it will take a considerable amount of time to build up enough business to make it necessary to have a director and a secretary and an accountant as it says here.

I would think that in the initial phases, this could be done with in-kind contributions very easily from existing staff. I can't absolutely prove that but I believe that to be the case.

SPEAKER ABATE:

Rep. Hanlon, you still have the floor, sir.

REP. HANLON: (70th)

Thank you, Mr. Speaker. I just would like to bring to the members attention that it is my understanding that this legislation has not been reviewed by the Appropriations Committee and although there may be some disagreement regarding, or misinterpretation regarding exactly what it might cost us, it seems

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to me that this is a matter that ought to be reviewed by the Committee on Appropriations and I would just make that comment at this point.

SPEAKER ABATE:

Rep. Goodwin.

REP. GOODWIN: (54th)

Through you, Mr. Speaker, I really don't know that I see the need to have it reviewed by Appropriations but I would defer to the Appropriations Committee on that.

SPEAKER ABATE:

Will you remark further on the bill? Will you remark further on the bill? Rep. Gardner Wright.

REP. WRIGHT: (77th)

Mr. Speaker, I don't believe, I've looked at this bill a great deal. I have looked at this bill a great deal. There was a great deal of concern with the original file copy. We had some consultations with the Education Committee and they adopted, they agreed to adopt this proposal which provides a system exactly the same as the research foundation at UConn. There are considerable number of questions about the research foundation at UConn but I believe the intention of this bill is good and it can operate pretty much on its own. The question of state funds being used for the purposes of the research foundation and the question of overhead funds in grants is an issue which the Appropriations Committee is going to be looking at in the interim.

And, by adopting this bill which is exactly the same as the UConn foundation, we will have one set of problems. The concerns that exist in UConn will be the same concerns that exist here and we can deal with the entire question of state funds being used in this program in a similar manner but I don't think it is necessary for the Appropriations Committee to deal with this issue now. I think it is something that we are going to deal with in the interim because it is a concern to a great number of people.

SPEAKER ABATE:

Questions on acceptance and passage of House Bill 5294 as previously amended by House Amendment Schedule "A". Will you remark? Will you remark further?

REP. VANNORSTRAND: (141st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Van Norstrand.

REP. VANNORSTRAND: (141st)

Just very briefly, Mr. Speaker. I fail to see how Rep. Wright could arrive at the conclusion he did. It is not known of the federal funds to be received. The fiscal note indicates that it is going to cost money to run this thing in the interim. It would seem quite proper that that does require referral to Appropriations and I would so move, Mr. Speaker.

SPEAKER ABATE:

Questions on a reference to the Committee on Appropriations.

Will you remark on the motion?

REP. GOODWIN: (54th)

Through you, Mr. Speaker.

SPEAKER ABATE:

Rep. Goodwin.

REP. GOODWIN: (54th)

May I try to rebut Rep. VanNorstrand's comment?

SPEAKER ABATE:

Proceed, please madam.

REP. GOODWIN: (54th)

I do not believe there will be any expenditures other than those embarked in the application for grants which are ongoing expenditures in state colleges at this time anyway. There will be no money involved for accounting of those expenditures until the grants are received. I think that when you begin to get grants, you begin to get expenses but there will be no money involved until you begin to get the grants.

SPEAKER ABATE:

Will you remark further on the motion to refer the item before the Chamber at this time to the Committee on Appropriations? Will you remark further on the motion? All those in favor of the motion to refer the item to the Committee on Appropriations please indicate by saying aye.

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REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed to the motion to refer the item to the Committee on Appropriations, please indicate by saying nay.

REPRESENTATIVES:

Nay.

SPEAKER ABATE:

In the opinion of the Chair, the noes have it. The motion fails.

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

If not, would all the members please be seated. Would the members please be seated.

Would the staff and guests please come to the Well of the House.

The machine will be opened.

The House of Representatives is voting by roll at this time. The members please return to the Chamber immediately.

The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately.

Have all the members voted?

Have all the members voted?

Would the members please check the roll call machine to determine if their vote is properly recorded.

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The machine will be locked. The Clerk will take the tally.

REP. The Clerk please announce the tally.

CLERK: belongs House Bill 5294 as amended by House Amendment Schedule "A".  
Total number voting 146  
Necessary for passage 74  
Those voting yeas 131  
Those voting nays 15  
Those absent and not voting 5

SPEAKER ABATE: The bill passes.

CLERK: Calendar page 2, Calendar No. 373, File No. 147, substitute  
for House Bill No. 5320, AN ACT CONCERNING WEIGHT RESTRICTIONS  
FOR VEHICLES AND TRAILERS, favorable report of the Committee on  
Transportation.

REP. SERRANI: (144th) Mr. Speaker.

DEPUTY SPEAKER COATSWORTH: Rep. Serrani.

REP. SERRANI: (144th) Mr. Speaker, I move for acceptance of the Joint Committee's  
favorable report and passage of the bill.

DEPUTY SPEAKER COATSWORTH:

Questions on acceptance of the Joint Committee's favorable

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DR. USDAN (Continued): bills being considered by the Education Committee.

Two bills before you, HB 6525, an act concerning the granting of degrees by the Educational Center for Human Development, and HB 5322, an act concerning authorizing Briarwood College to award degrees, would give these institutions degree granting authority. Both of these institutions have completed the Board of Higher Education's licensure and accreditation process. The Educational Center for Human Development was accredited by the board on June 27, 1978, and Briarwood was accredited on January 23, 1979. Although accreditation has been granted under the Connecticut General Statutes, 10-330c, the authority to confer degrees must be given by an act of the General Assembly. The board has approved both Briarwood and the Educational Center for Human Development, and therefore urges your support of HB 6425 and HB 5322.

The Board of Higher Education also supports HB 5294, an act establishing a research corporation within the State College System. We believe that the creation of a research corporation will allow the state colleges to more aggressively pursue both federal and private grants. It will also enable coordinated research efforts among the four state college campuses. The state colleges are not requesting an appropriation to establish the corporation, but will utilize existing personnel. After an initial three year period, the corporation will be required to reimburse the Board of Trustees of the State Colleges for the salaries and benefits of administrative personnel. The cost of the corporation would be approximately \$11 million. Given the The state colleges have investigated research corporations established in other states, and they have gathered evidence which indicates that the use of the separately incorporated entity facilitates grant contracting, increases the level of funds secured and provides for increased fiscal flexibility.

Several other matters before this committee, HB 5488, HB 6320, and HB 6306, we believe are deserving of discussion today. However, we do not favor legislative action on these bills during the 1979 session of the General Assembly.

HB 5488, an act concerning Tufts Veterinary School requires that the Board of Higher Education enter into contract with Tufts Veterinary School for places for Connecticut residents, and would eliminate future contracts with the University of Pennsylvania and Cornell. At the February 27th meeting of the board, a resolution was

MR. KENNEDY (Continued): to the Executive Director of the Connecticut State Colleges. For the sake of brevity I would request that Dr. Porter, Erway and Newton join me to speak briefly in regards to House Bill 5294. If that's acceptable, Mr. Chairman.

REP. DYER: If you're brief, sure.

MR. KENNEDY: We will try to be. It's all the same bill.

DR. PORTER: Representative Goodwin, Representative Dyer, ladies and gentlemen of the Committee, my name is Thomas Porter, I am the Academic Affairs Officer of the Connecticut State College System. I would like to thank Commissioner and the Board of Higher Education for their support of our research corporation bill, Committee Bill No. 5294. On behalf of the Board of Trustees of the Connecticut State colleges and Dr. Frost our Executive Director, I would like to urge you to recommend passage of this bill.

We propose the establishment of the research corporation to give our faculty a mechanism for prompt and efficient administration of grants and contracts especially federal grants and contracts. By providing a research corporation similar to those established for state colleges and universities all over the Country, we believe that we can substantially increase the number and dollar amount of federal foundation and other grants and contracts coming into our State. Such an increase in state government funding will enhance the instructional programs of our colleges by assisting faculty to update their knowledge through research and service projects; by increasing the amount of instructional and research equipment which is available in our colleges and by providing undergraduate and masters degree students the opportunity to participate as research assistants in faculty research.

Commission to establish the research corporation will no way alter the mission of the state colleges. Rather it will enable us to perform our present mission more effectively. We are not asking for any deduction in standard teaching assignments. We are not asking for permanent state funding of research. We do ask that during the initial three-year period of operation, of the corporation, the Trustees be permitted to use regular college personnel as administrators and clerical staff of the corporation. We contemplate an extremely limited administrative and clerical staff consisting of a Director, his or her Secretary and an Accountant and its possible that in the very early stages the Secretary and the Accountant would not have to be full

DR. PORTER (Continued): time. At the end of the three-year period the research corporation would have to be totally self-supporting through overhead charges on grants. We would hope at a matter of fact that even before the end of the three-year period we could make it self-supporting. I'd like to point out that the -- that the self-sustaining low cost of the state -- nature of this research assistance would be provided for particular grants, particular projects would be employees of the corporation only.

Another fact of the matter is that there is abundant fall out for the undergraduates. In my case in particular for example -- I teach animal behavior at the undergraduate level and there is direct applicability

DR. PORTER: Research projects will reward employees of the colleges. In the cases of research projects which involve faculty release time, for research, then it would be faculty release time for teaching and of course not all research projects will -- will involve such release time but in the cases where they do the colleges will receive reimbursement from the corporation for the portion of the faculty time released for research. And this reimbursement will also include a proportionate share of fringe benefits so that there is no hidden subsidy of the state for this research activity. The colleges will then use these reimbursement funds to hire replacement to teach the courses from which the faculty member has been released. And to maintain the total quantity of teaching just the same as if there had been no research project.

We are very concerned about sustaining the instructional function -- there would be no reduction in the quantity of teaching. There would be no increase in class sizes as a result of these activities. So in summary we would hope that you would permit us to attempt this venture which has been so successful in other systems. We know that if you do we will be able to make a much greater contribution to the growth and development of our state's economy as well as to enhance the quality of our colleges instructional programs. Thank you.

REP. DRYER: Dr. Erwa, Mr. Porter would you send us copies of the

DR. ERWA: I'm Mark Erwa, from Southern Wisconsin State College. In 1925 the Wisconsin Alumni Research Foundation was established to support that university. Over 50 years later,

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DR. PORTER: Grants. We would hope as a matter of fact, that  
Belt 8 even before the end of the three-year period, we could make  
it self-supporting. I'd like to point out that the -- that  
the self-sustaining no cost to the State -- nature  
of this through the administration of hired personnel would  
be in this matter. Employees of the Corporation  
such as its Director, its Administrator and clerical staff  
and the part time and temporary clerical assistants and  
research assistants would be hired for particular grants,  
particular projects would be employees of the corporation  
only

but fact of the matter is that there is  
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particular for example its -- I teach animal behavior at  
the undergraduate level and there is direct applicability

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DR. ERWAY: I'm Milt Erway from southern Connecticut State college.  
In 1925 the Wisconsin Alumni Research Foundation was  
established to support that university. Over 50 years later,

DR. ERWAY (Continued): it's still in existence. And supporting very significantly the operation of that university. More importantly, in the past four years WART, as it's called, has served as a model for a steady growth of college and university research corporations such as the one we proposed. It has been important enough in its growth that the National Science Foundation through its research improvement management improvement program, supported a study in 1974 which resulted in the books that I hold in my hand, University of Connecticut Research Foundations.

The five authors have held a couple of seminars which I had the privilege of attending. Other members of our Committee and I have consulted in depth with one or more of these authors of this study. We talked with other Directors of college and university related research corporations. We are confident that we have designed a very effective management systems for the four state colleges of Connecticut. And therefore we urge that you support our desire to implement this system for our colleges. Thank you.

MR. NEWTON: My name is David Newton. I'm a research biologist in a teacher. I am -- the other hat which I wear is as the President of the AAUP Group which has 1,200 constituents in the state colleges. We brought a bill similar to this before you last year and regrettably, the bill was lost in confusion. And I hope that this time, that -- we are clear and that we have touched all bases and that we have done every kind of homework that one could contemplate. We have been planning on this matter for over 2 1/2 years. We have competent people who have studied the operation of research corporation throughout the United States. We have presented you with the bill which is essentially minimal to no cost and I can tell you on behalf of my 1,200 constituents that it absolutely vital to their moral.

That they be permitted to do their work. They're state employees and this contemplated corporation will allow them to pursue their work as state employees for effectively. It was recently observed by an NFS individual in Washington on analyzing expenditures that went from NFS into Connecticut that for some reason, Connecticut public institutions for state colleges seems not to receive their share of research money. The reason they do not receive their share of research money is because we lack a vehicle of this nature. Therefore, I urge that you support this corporation. I point out that it will enhance the teaching mission of the state colleges. Will provide opportunities to our students which although they exist now are severely truncated and will make possible the pursuit by faculty of

MR. NEWTON (Continued): their various research interests and expertise to the gain of the citizenry of the State of Connecticut. Thank you.

MR. KENNEDY: Mr. Chairman, the members that have participated would be willing to answer any questions that might be forthcoming from the Committee.

REP. BERTINUSON: Representative Bertinuson. Then Roz Berman.

REP. BERTINUSON: Representative Bertinuson, really for any one of the speakers. I have basically certain concept. I have a little uneasy feeling about a shift in emphasis in the State college system. One of the complaints we often hear from college students is that -- is that their professors are spending more time in research then -- not enough time in teaching. And I have an uneasy feeling that this my resemble a shift in emphasis from teaching to research and even though you make it clear that there would be no increase in the cost of teaching with the professor's time and teacher's time involving research -- the foundation would cut the cost of replacing that teacher. I think that might represent a decrease in quality or at least in continuity. I wonder if any one of the speakers would want to speak to that.

MR. KENNEDY: I might add that that is not the intent, but I think Dr. Porter might be able to respond to that question.

DR. PORTER: One of the things that we have to insure in our faculties, is that they maintain with their discipline. That they maintain -- state of knowledge and -- this kind of requirement involves new research -- we think that -- research we require that our faculties do research right now. And -- we hope that this mechanism would make it possible for them to involve more students as research assistants and so forth. That it would enable them to be better teachers as a result of -- participating in research it is. We do conceive of it as a shift omission in any way. I think that we are extraordinarily fortunate in the State of Connecticut in the highly urban, highly educated populous that we have that we are able to -- obtain a -- a part time instructors of very high quality. If we were located in the middle of Montana, I think we would have some problems. But I think that given our location -- that this is not a problem.

So it is not in any way a -- shift of emphasis. We do hope that there will be a greater quantity of research, but we think that it will enhance the teaching capability of our faculty and we have to understand that teaching occurs in

DR. PORTER (Continued): many different settings. Some of the most effective teaching occurs when the students can work with their faculty in a very intimate one-to-one or three-to-one relationship on research projects. And we deem that obligation to our masters candidates; to our seniors and juniors upper division students so that -- we feel that this will in no way shift and in no way -- undermine the instructional function indeed we think it's exactly the opposite.

REP. BERTINUSON: Thank you.

REP. DYER: Representative Berman.

REP. BERMAN: I guess my question might be directed to you, Representative Dyer as well to anybody else. It seems to me in my recollection of my thoughts that we had approved this legislation last year. And

REP. DYER: We almost did.

REP. BERMAN: Was there a technical reason and does this bill differ at all from the bill that we had last year.

MR. KENNEDY: I could respond briefly to that question. I think there was some confusion in the lateness of the bill arising before the Committee. And I think there were a number of questions which Representative Goodwin raised pertaining to personnel which we have tried to clarify in this bill.

REP. DYER: I feel it's a much better version than last year's. Senator O'Leary, then Representative Orcutt.

: Do you think a bill of this nature is necessary to help you attract high caliber faculty.

MR. KENNEDY: Yes, I think it will have an extremely favorable impact on attracting faculty. Faculty in every discipline -- are concerned about the opportunities that they will have to remain active in their fields and to maintain a -- a national reputation and this is certainly one way to -- assist them in doing that. I think that's an excellent question and it is certainly something that we would feel would be a major justification for this bill. And would I think go back again to the instructional function. I would help us obtain and attract and making better faculty.

SEN. O'LEARY: Do you foresee that the ratio of classroom instructional time to research time will remain constant.

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SEN O'LEARY (Continued): Did you address that in your comments?

MR. KENNEDY: Yes. We have a what is called a 12-hour standard teaching assignment. And we do not expect that to -- to change. As you understand -- in support of that assignment faculty members have to do research and preparation in their disciplines in order to be able to teach their classes.

And -- this is one of the things, one of the ways it will help them do that. So that -- that the standard teaching assignment will not change.

REP. ORCUTT: Rep. Orcutt, the 98th. I was wondering -- about how many graduate programs you have in the state college system or how -- the -- how the graduate student population compares to the total student population. It seems to me that I certainly buy the idea that such research opportunity helps the

to stay current with their fields. But as far as the students are concerned, those that benefit obviously it seems to me most of all are those that are in graduate programs where they are working at the of the fields in which they --

DR. PORTER: Our numbers are -- I would say I'm very bad with calling off numbers from the top of my head. Among the four campuses there are approximately 50 to 60 graduate programs. But I tell you, I would like to ask Professor Newton to answer that question because it seems to me that he is a biologist who works with under-advanced, undergraduate students as well as graduate students and I think that he could give you a very good response.

MR. NEWTON: I'd just like to say that my field of study is and I've held a number of grants in that field which is the study of honeybees. And -- your assumption that that the research would be, you know, applicable to graduate students is with merit.

Because of the bidding system and so on. But as a researcher you enter into a contract with the KSI, and the contract says we expect a progress report with six months and perhaps the grant is for a full duration of two years.

A researcher could find himself and that one has the position of finding out that there was no way to obtain the necessary materials in which to do the research during the period for which the research was granted. The corporation would permit

SEN. JOHNSON: The bill...

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MR. NEWTON: And I've held grants in that field, which is the study of honey bees and -- your assumption that that the research would be, you know, applicable to graduate students is -- with merit, but fact of the matter is that there is abundant fallout for the undergraduates. In my case in particular for example it's I teach animal behavior at the undergraduate level and there is direct applicability of my affairs in research which favorably utilize undergraduate students. And I would characterize the four state colleges as primarily undergraduate and -- in mission and in orientation and the greatest fallout of this is going to be at the undergraduate level and I would say that it would be surely -- of the same caliber of value to those undergraduates as it would be were they graduates.

REP. ORCUTT: Thank you.

SEN. JOHNSON: Dr. Newton you answered my question. I had on my mind that was the impact on the undergraduate community. Per se. I feel that's a very significant impact and cannot be achieved without significant research going on. And there's no way to teach research if you don't have people involved actively and committed. However, could you give us -- very briefly an example or two of what this flexibility would do for you. Clearly you're getting grants now. What would the -- could you give us a concrete example of what this would enable you to -- the grant.

MR. NEWTON: One of the difficulties -- I must tread lightly in this area, but one of the difficulties a researcher can experience is -- in -- on receiving the grant, to find that the state is somewhat slow in its procedures in all -- permitting one to fulfill the activities required by the grant. Now the state's procedures are -- with a great deal of merit in their particular areas. Lot of things the state does right which work really well. I mean the states going to get the very best price on paper. Because of the bidding system and so on. But as a researcher you enter into a contract say with the NSF, and the contract says we expect a progress report within six months and perhaps the -- the grant is for a full duration of two years.

A researcher could find himself and this one has in position of finding out that there was no way to obtain the necessary materials in which to do the research during the period for which the research was granted. The corporation would permit

SEN. JOHNSON: The bill that pre-audit procedures

- MR. NEWTON: Yes, they do.
- SEN. JOHNSON: Impede time ratio funds and that's one of the problems that this would cause.
- MR. NEWTON: That's right the nature of research is that there are some things that can be done over a long period of time and there are some things that you discovered yesterday that you to have today. And for want of which you cannot go on. And they have to obtained expeditiously and immediately.
- SEN. JOHNSON: But the cost of which would come out of your own grant money.
- MR. NEWTON: That's right I do wish to emphasize that the research corporation is -- laden with provisions to make it fiscally responsible. He's audited every penny is accounted for and of course the United States government has its requirements also. So it's primarily a matter of -- of efficiency. Regrettably many faculty are so despondent with the current situation that they do not wish to apply for grants and if they do apply for grants they purposely take the money out of the state college system through any vehicle they can find.
- REP. DYER: Other questions?
- MR. KENNEDY: Mr. Chairman, I just had a brief comment with regard to House Bill 5005 pertaining to the waiver of fees for veterans since I have personally availed myself of the opportunity in the past. I would be supportive, however, I would like to mention that these funds are... We don't have that one today, I don't think.
- MR. KENNEDY: It was listed originally, Mr. Chairman.
- MR. KENNEDY: 5005
- REP. DYER: It's been shifted to another hearing that was listed.
- MR. KENNEDY: It's been shifted to another hearing. Alright, thank you. Then if not, briefly House Bill 6317 which I believe Representative Goodwin addressed. I would like to enter for the record two resolutions which were adopted by our Board of Trustees pertaining to the establishment of a