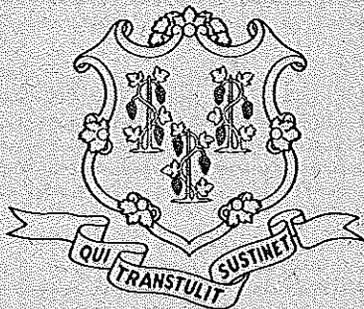


Connecticut Agricultural Experiment Station

Connecticut
General Assembly



LEGISLATIVE
PROGRAM REVIEW
AND
INVESTIGATIONS
COMMITTEE

SUNSET 1983

CONNECTICUT GENERAL ASSEMBLY

LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE

The Legislative Program Review and Investigations Committee is a joint, bipartisan, statutory committee of the Connecticut General Assembly. It was established in 1972 as the Legislative Program Review Committee to evaluate the efficiency and effectiveness of selected state programs and to recommend improvements where indicated. In 1975 the General Assembly expanded the Committee's function to include investigations and changed its name to the Legislative Program Review and Investigations Committee. During the 1977 session, the Committee's mandate was again expanded by the Executive Reorganization Act to include "Sunset" performance reviews of nearly 100 agencies, boards, and commissions, commencing on January 1, 1979.

The Committee is composed of twelve members, three each appointed by the Senate President Pro Tempore and Minority Leader, and the Speaker of the House and Minority Leader.

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L. Spencer Cain, Program Analyst
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Michael O'Malley, Program Analyst
Gary J. Reardon, Program Analyst
Lillian B. Crovo, Administrative Assistant
Mary Lou Gilchrist, Administrative Assistant

Staff on this Project

Anne E. McAloon, Principal Analyst

Legislative Office Building, 18 Trinity St., Hartford, CT 06106 (203)566-8480

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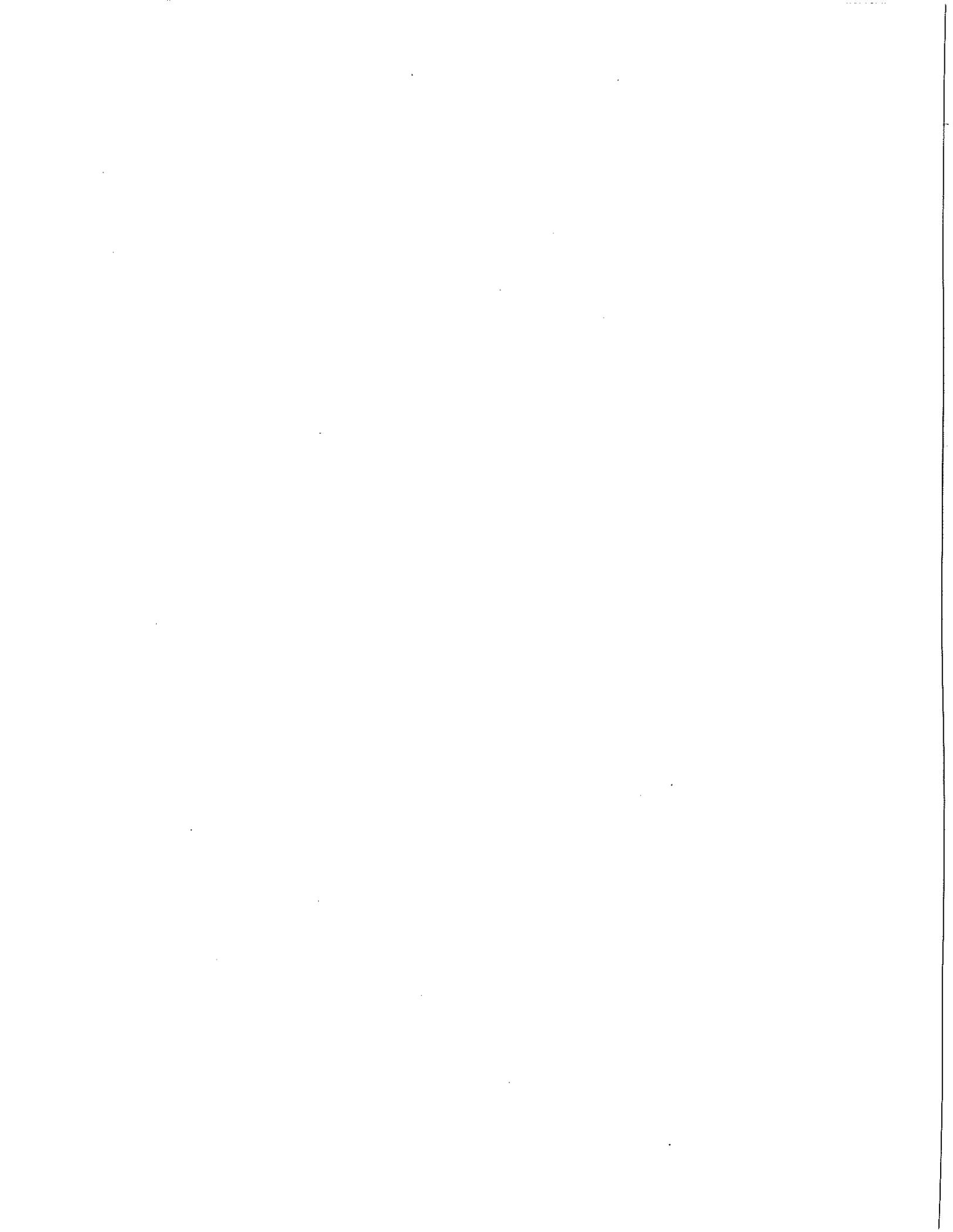
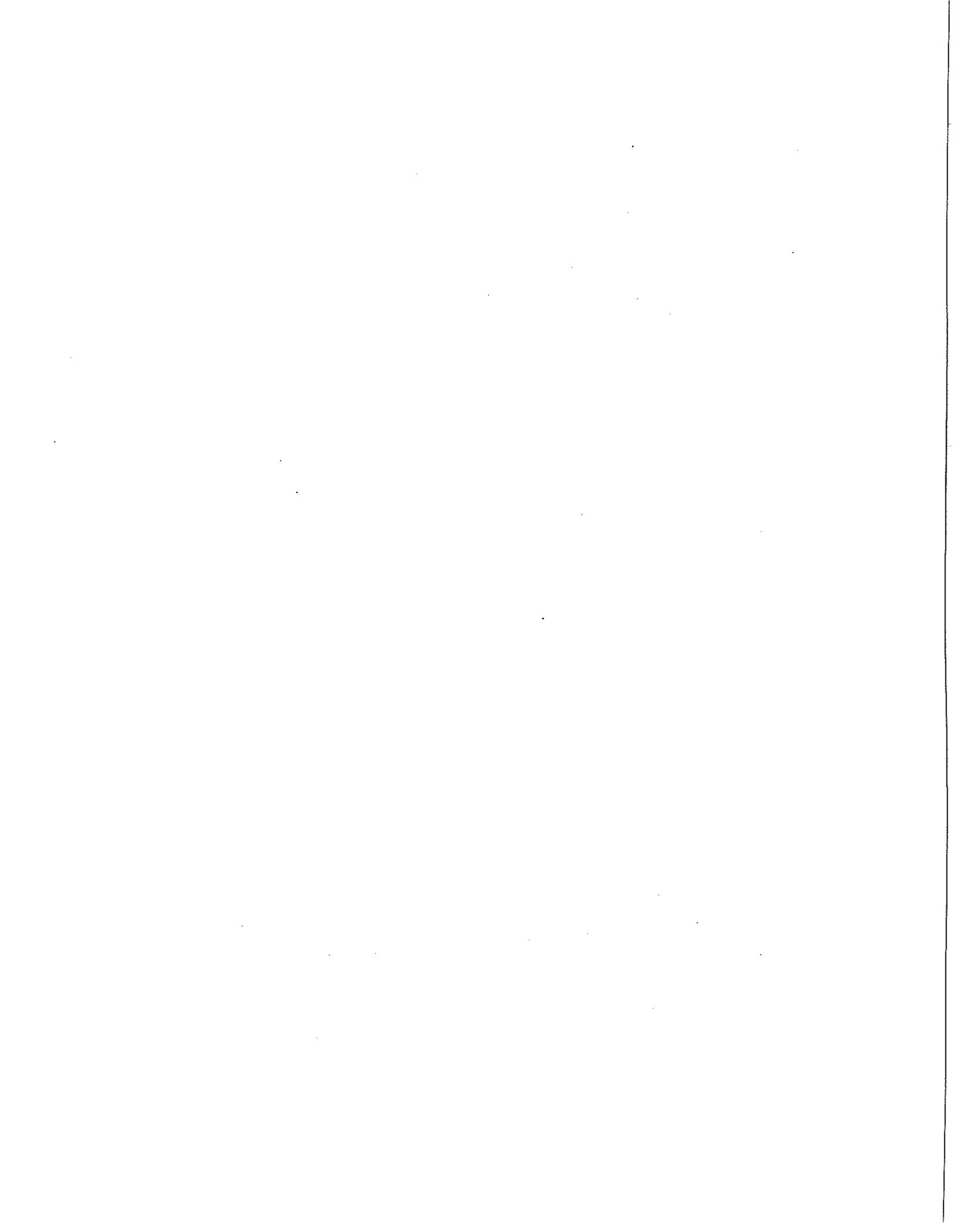


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CONNECTICUT AGRICULTURAL EXPERIMENT STATION

SUMMARY

The Connecticut Agricultural Experiment Station was statutorily established in 1877 after a two year period of operation under a legislative resolution. The station was created to promote agriculture by scientific investigation and experiment. An eight-member Board of Control was set up to oversee the general management of the institution and appoint a director, who was given responsibility for the general management and oversight of research activities.

After two years at Wesleyan University, the station was moved to the Sheffield Scientific School at Yale University. In 1882, the state legislature appropriated funds for the purchase of land and construction of a building; the site selected is the current New Haven location.

Today, the Connecticut station is located within the Office of Policy and Management for administrative purposes only. The Board of Control, which consists of the commissioner of agriculture, three individuals selected separately by Wesleyan University, Yale University and the University of Connecticut, two public members, the governor and the director of the station, meets four times a year to set station policy. The director is responsible for day-to-day activities.

According to the Board of Control, the purpose of the station is "research for the advancement of science, and service with excellence." In addition to engaging in research including the conduct of experiments, station staff also:

- oversee the regulation of honey bees and nurseries;
- provide analytical services for the Departments of Agriculture, Consumer Protection and Environmental Protection;
- respond to questions from the general public;
- perform tests on soil samples to determine nutrient content; and
- survey towns to determine the extent of gypsy moth infestation.

The station is authorized to fill 121 full-time positions; 40 percent are in the scientist classifications and 30 percent in the technician classifications. Its state-approved budget for FY 1981-82 was \$3,188,168. The station also had access to almost \$180,000 in additional income from four charitable trust funds and several investment accounts.

Analysis and Recommendations

During the process of deciding whether the Connecticut Agricultural Experiment Station should be sunsetted, the Legislative Program Review and Investigations Committee also looked at the functions of the Storrs Agricultural Experiment Station. The committee found that while the two stations may not duplicate tasks, there are great similarities between their functions. Connecticut is also one of only two states that has more than one station site, and it is the only state where a station is not connected with the state land grant university system. However, problems were noted in combining the two stations. *Accordingly, the Legislative Program Review and Investigations Committee recommends continuation of the Connecticut Agricultural Experiment Station within the Office of Policy and Management for administrative purposes only.*

The committee believes a policy-setting body, including representatives of the executive branch, institutions of higher learning and the public, should exist to provide guidance and advice to the station director. *Therefore, the program review committee recommends the continuation of the Connecticut Agricultural Experiment Station Board of Control.*

In order to bring the operating procedures of the Board of Control into conformance with committee recommendations statutorily adopted for other boards and commissions, *the Legislative Program Review and Investigations Committee recommends that the provisions of the committee's model concerning meeting frequency, quorums, attendance, number of terms and reimbursement be statutorily mandated for the Connecticut Agricultural Experiment Station Board of Control. Specifically:*

- *the board shall be required to meet quarterly;*
- *a majority of the board shall constitute a quorum;*
- *any member who fails to attend three consecutive meetings or to attend 50 percent of all meetings during any calendar year shall be deemed to have resigned;*
- *no member shall serve more than two consecutive full terms; and*

- *members shall not be compensated for their services but shall be reimbursed for necessary expenses incurred in the performance of their duties.*

The governor and the station director shall be exempt from the restrictions on the number of terms that can be served.

At the present time the director's position is unclassified and as such a specific job specification is not required. In order to facilitate the hiring of the most capable and qualified professional, the Legislative Program Review and Investigations Committee recommends the Board of Control be allowed to continue selecting the station director, but that they develop a formal job specification for the position within the state personnel system requirements, including enumeration of specific qualifications. Also, open advertisement of the director's position should be required whenever a vacancy occurs because of retirement, resignation or dismissal.

The Connecticut station is the trustee or beneficiary of four trust funds. The annual income and disbursement of money from these accounts is not included in the budget material presented to the legislature during the annual budget development process. Although the state does not have the authority to specify how these monies will be used, the committee believes the governor and the General Assembly should be aware of the amounts and uses to which this money is put. Therefore, the Legislative Program Review and Investigations Committee recommends that all funds available to the Connecticut Agricultural Experiment Station be reported to the legislature annually.

The committee found that the Connecticut station has not vigorously pursued outside grants as a funding mechanism. Although the station does not seek large annual increases in state funds, the committee believes the institution should consider all appropriate sources of money. Therefore, the Legislative Program Review and Investigations Committee recommends that the Board of Control be required to develop a written policy on private and federal grants that will encourage applications within established guidelines.

Although the state has two agricultural experiment stations receiving government support, there is virtually no formal contact between the two institutions. The committee believes establishment of a more visible relationship between the two stations will reduce duplicative research, improve staff morale and reduce the confusion of the public about the roles of the two organizations. Accordingly, the Legislative Program Review and Investigations Committee recommends that increased coordination between the Connecticut station and the Storrs station be required. Specifically, each

institution shall submit its annual research agenda to the other, and the directors of the two stations shall meet at least quarterly. Reports on the activities of the two directors shall be sent to the University of Connecticut Board of Trustees and the Board of Control of the Connecticut station.

The Connecticut Agricultural Experiment Station has statutory responsibility for regulating honey bees and nurseries. Honey bees, which are important for their role in the pollination of crops and orchards as well as the production of honey, are threatened by foulbrood disease and certain pesticides. The current registration system for bees is intended to facilitate contacting beekeepers regarding either of those dangers. This does not always occur, however, because not all bees are registered and the station currently has only one inspector to visit apiaries.

Concerned that food production, and subsequently public welfare, may be affected if foulbrood disease increases in the future, the Legislative Program Review and Investigations Committee recommends that the current system of registering and inspecting honey bees be continued. However, the committee suggests that in view of the problem with pesticides that the Environment Committee of the legislature look into this matter.

With respect to the regulation of the nursery industry, the evidence presented to the program review committee showed that the current system seems to be working satisfactorily. Therefore, the Legislative Program Review and Investigations Committee recommends continuation of the present system of regulating nurseries.

The Connecticut station currently performs free soil analyses for the public. The committee discussed the possibility of instituting a fee for this service but was concerned that the cost of collecting a fee would equal the amount collected. The Legislative Program Review and Investigations Committee recommends that for the present time the Connecticut Agricultural Experiment Station continue to perform its soil analysis tests free of charge.

The state statutes give the director of the Connecticut station the authority to investigate and control white pine blister rust; he is also responsible for dealing with possession of European black currant plants. The station indicated these laws are no longer needed. Therefore, the Legislative Program Review and Investigations Committee recommends that Sections 22-86 and 22-87 be deleted from the Connecticut General Statutes.

INTRODUCTION

Purpose and Authority

Chapter 28 of the Connecticut General Statutes provides for the periodic review of certain governmental entities and programs and for the termination or modification of those which do not significantly benefit the public health, safety, or welfare. This law was enacted in response to a legislative finding that a proliferation of governmental entities and programs had occurred without sufficient legislative oversight.

The authority for undertaking the initial review in this oversight process is vested in the Legislative Program Review and Investigations Committee. The committee is charged, under the provisions of Section 2c-3 of Chapter 28, with conducting a performance audit of each entity or program scheduled for termination. This audit must take into consideration, but is not limited to, the four criteria set forth in Section 2c-7. These criteria include: (1) whether termination of the entity or program would significantly endanger the public health, safety, or welfare; (2) whether the public could be adequately protected by another statute, entity, or program or by a less restrictive method of regulation; (3) whether the governmental entity or program produces any direct or indirect increase in the cost of goods or services and, if it does, whether the public benefits attributable to the entity or program outweigh the public burden of the increase in cost; and (4) whether the effective operation of the governmental entity or program is impeded by existing statutes, regulations or policies, including budgetary and personnel policies.

In addition to the criteria contained in Section 2c-7, the Legislative Program Review and Investigations Committee is required, when reviewing regulatory entities or programs, to consider, among other things: (1) the extent to which qualified applicants have been permitted to engage in any profession, occupation, trade, or activity regulated by the entity or program; (2) the extent to which the governmental entity involved has complied with federal and state affirmative action requirements; (3) the extent to which the governmental entity involved has recommended statutory changes which would benefit the public as opposed to the persons regulated; (4) the extent to which the governmental entity involved has encouraged public participation in the formulation of its regulations and policies; and (5) the manner in which the governmental entity involved has processed and resolved public complaints concerning persons subject to review.

Methodology

The Legislative Program Review and Investigations Committee's sunset review process is divided into three phases. The initial phase focuses on collecting quantitative and qualitative data related to each entity's background, purpose, powers, duties, costs and accomplishments. Several methods are used by committee members and staff to obtain this information. These include: (1) a review of statutes, transcripts of legislative hearings, entity records (e.g., minutes, complaint files, administrative reports, etc.), and data and statutes of other states; (2) staff observation of meetings held by each entity during the review period; (3) surveys of selected persons and groups associated with each entity; (4) formal and informal interviews of selected individuals serving on, staffing, affected by or knowledgeable about each entity; and (5) testimony received at public hearings.

During the second phase, the staff organizes the information into descriptive packages and presents it to the committee. The presentations take place in public sessions designed to prepare committee members for the hearings, identify options for exploration and alert entity officials to the issues the committee will pursue at the hearings.

The final step of the review involves committee members and staff following up on and clarifying issues raised at briefings and public hearings. During this period, the staff prepares decision papers and presents recommendations to the committee. The committee, in public sessions, then debates and votes upon recommendations for the continuation, termination or modification of each entity.

BACKGROUND

Legislative History

In 1875, the Connecticut General Assembly passed Senate Joint Resolution 38 appropriating \$700 per quarter for two years "to be used in employing competent scientific men to carry on the appropriate work of an agricultural experiment station." The money was granted to Wesleyan University because of an offer from that institution to provide "free use of ample laboratories, and other facilities for establishing and carrying on an experiment station, for the general benefit and improvement of agriculture and kindred interests of the state of Connecticut."

In 1877, the Connecticut Agricultural Experiment Station was statutorily created (Public Act 158) "for the purpose of promoting agriculture by scientific investigation and experiments." The station was moved to quarters at the Sheffield Scientific School at Yale University in New Haven. An eight-member Board of Control was established to oversee the general management of the institution and to appoint a director, who had responsibility for the general management and oversight of experiments and investigations.

The composition of the board included single members selected by the State Board of Agriculture, the State Agricultural Society, the governing board of the Sheffield Scientific School and the board of trustees of Wesleyan University. Two other members were appointed by the governor with the advice and consent of the Senate, and the governor, himself, and the director of the station served as ex officio members.¹

Under P.A. 158, the station was authorized to own property and to "employ competent and suitable chemists and other persons necessary to the carrying on of the work of the station." It was to expend all money appropriated by the state on the work for which the institution was established. The annual appropriation to the station was set at \$5,000.

¹ In the 1920's, the State Board of Agriculture representative was replaced by the commissioner of agriculture. In 1933 (P.A. 316), the State Agricultural Society representative was changed to an appointee of the University of Connecticut.

Five years later, the state appropriation was increased to \$8,000 per year. In addition, \$25,000 was given to the station for the purpose of buying a lot, erecting a building and equipping it. (The site selected is the current New Haven location.)

That same year (1882) the station's role in the regulation of fertilizers was more clearly established (P.A. 144). The Connecticut Agricultural Experiment Station was given authority to set standards for the information to appear on fertilizer labels, and samples of fertilizers had to be deposited with the station director. Fertilizer manufacturers had to pay a \$10 analysis fee for each fertilizer ingredient. Sellers had to register with the director and they could be required to produce product samples. The station director had to turn over any fees received to the state treasurer, and the analyses of fertilizers had to be published annually. During the 1890's, responsibility for the analysis of food products being sold in Connecticut and suspected of being adulterated was also given to the station.

At the turn of the century "An Act Concerning Insect Pests" (Public Act 1-122) created a state entomologist and required the licensure of nurseries. The station Board of Control was given authority to appoint a qualified individual to serve as state entomologist; that person was allowed to appoint up to three deputies as might be deemed necessary. The duties of the entomologist related to pests included visiting growing areas and providing advice on treatments, inspecting property suspected of being infested, conveying information and conducting experiments.

Another section of the act required all nursery stock shipped into Connecticut to bear a certificate stating the contents had been inspected by a state or government officer and appeared to be free of all dangerous insects or diseases. In addition, places where nursery stock was grown, sold, or offered for sale had to be inspected at least annually by the state entomologist or one of his deputies.

Similar restrictions on nurseries and nursery stock have continued into the 1980's. Since 1925 all nurserymen and dealers have had to register with the state entomologist annually. The entomologist may make such regulations as are necessary to govern the shipment of nursery stock into the state.

Other statutory changes in the early 1900's increased the annual appropriation for the station and authorized the state entomologist to order spraying or other suitable treatment of diseased trees and shrubs. In 1907, gypsy moths and brown-tail moths, "being serious pests of vegetation," were declared to be

a public nuisance (Public Act 114). The state entomologist was given the authority to suppress and exterminate both types of moths. He could employ such assistants and laborers as needed and he could cut and burn brush and worthless trees and could "prune, spray, scrape, or fill cavities" in any fruit, shade or forest trees.

Another duty given to the state entomologist in 1909 concerned the suppression of contagious or infectious diseases of honey bees. Upon complaint, the entomologist had to "verify, and treat or destroy cases of foul brood[sic] among honey bees" (Public Act 185). In 1919, the current system for registering bees was established (P.A. 174). On or before October 1 of every year, owners of one or more hives of bees have to apply to the town clerk of the municipality in which the bees are being kept. The clerk then issues a certificate upon receipt of a fee of 25 cents. Failure to register is punishable by a fine of not more than \$5. Since 1923 the town clerks have been required to file a list of registrations with the state entomologist.

As necessary, the state entomologist is required to examine and quarantine diseased apiaries and treat or destroy cases of the disease known as foulbrood. Reasonable regulations regarding inspections and quarantines are required. In addition, no bees can be transported unless the colony or package is accompanied by a certificate of good health furnished by an authorized inspector.

In 1917 (P.A. 23), the director of the Connecticut Agricultural Experiment Station was given authority over "all matters pertaining to official control, suppression or extermination of insects or diseases which are, or threaten to become, serious pests of plants of economic importance." In order to carry out these duties, the director may:

- work with agents of the United States Department of Agriculture;
- make regulations and orders regarding destruction or treatment of infested plants;
- seize, treat, disinfect or destroy plants moved in violation of any quarantine or regulation established under these provisions; and

- promulgate and enforce a quarantine prohibiting or restricting transportation of certain plants and seeds under certain circumstances.

A specific insect that came under the jurisdiction of the station about this same time was the mosquito. Public Act 15-264 required the station director to make rules and orders concerning the elimination of mosquito breeding places. In 1919, additional legislation (P.A. 21) was passed to provide that areas drained to eliminate mosquito breeding sites be maintained and supervised by the director of the station. In the 1930's a five-person Board of Mosquito Control, including the station director, was created to oversee this problem. Public Act 50-7 transferred responsibility for these functions to the Department of Health.

Two plants still regulated received their first statutory mention during this early period. Efforts to control a fungus disease known as white pine blister rust or currant rust began in 1917; certain plants infected with this disease can be destroyed. Possession of European black currant plants has been completely prohibited since 1929. The director of the station is authorized to seize and destroy any plants, roots or cuttings of the plant found in Connecticut. The penalty for violating these statutes is a fine of between \$5 and \$50. Legislation adopted in 1919 to suppress the European corn borer was repealed in 1961.

In 1921 the Board of Control at the station was given \$10,000 and authorized to "conduct research and experimental work as to the causes and prevention of the various diseases and injuries to the Connecticut tobacco crop" (C.G.S. Section 22-83) affecting the growth or preparation of the crop for market. The board was authorized on behalf of the state to accept land, equipment or money to be used exclusively for these purposes.

Statutory changes in the 1960's were based on the severity of the gypsy moth problem. In 1961, laws concerning gypsy and brown-tail moths that were enacted in 1907 were repealed. In 1967, Public Act 446 was passed reinstating the gypsy moth, "in all stages of its development," as a public nuisance. This legislation, which remains virtually unchanged today, specified actions to be undertaken by various governmental agents.

Federal funding for the Connecticut Agricultural Experiment Station dates back to 1887 when federal legislation was

passed to establish agricultural experiment stations in connection with certain colleges created under previous legislation. In Connecticut, Special Law 282, adopted in May 1887, designated "the farm attached to the Storrs Agricultural School" as an "experimental farm" for the purposes specified by the federal program.² The farm and the Connecticut Agricultural Experiment Station were each given one-half of any funds that came to the state under this law.

Another federal act that included funding for the more complete endowment of Agricultural Experiment Stations was passed in 1925. Known as the Purnell Act, it increased the amounts to be appropriated to stations by \$10,000 every year for four years, and from 1930 on, the allocation was set at \$60,000 per year. The Connecticut legislature placed responsibility for any funds received by the state from that act under the joint control of the Board of Trustees of the University of Connecticut and the Connecticut Agricultural Experiment Station Board of Control.

In 1947, the Connecticut legislature passed Public Act 342 in order to enable the state to receive additional federal funding for cooperative agricultural extension work and agricultural research. Except money allocated for a few specified activities, new funds available as a result of this legislation are to be divided between the Connecticut and Storrs stations "in such proportion as is agreed upon by the governing boards of the two institutions." (C.G.S. Section 22-104)

Structure

The Connecticut Agricultural Experiment Station is located within the Office of Policy and Management for administrative purposes only. Station policy is set by an eight-member Board of Control that meets four times a year. The members of the board are:

² The purpose of the Hatch Act (Chapter 314 of the 49th Congress) was "to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture and to promote scientific investigation and experiment respecting the principles and applications of agricultural science...."

Among the specific areas of work mentioned in the law were the physiology of and the diseases of and remedies for plants and animals, comparative advantages of rotative cropping, chemical composition of manure, adaptation and value of grasses and foliage plants, and the scientific and economic questions involved in the production of butter and cheese.

- the commissioner of agriculture;
- a person selected by the Board of Trustees of the University of Connecticut;
- a person selected by the Sheffield Scientific School (Yale University);
- a person selected by Wesleyan University;
- two people appointed by the governor;
- the governor (ex officio); and
- the station director (ex officio).

Day-to-day station activities are the responsibility of the director, who is appointed by the board. An executive and finance committee composed of three members of the board is available to take up station matters in the interim between board meetings. In addition, the director has indicated that he talks to or meets with each board member at least once a month.

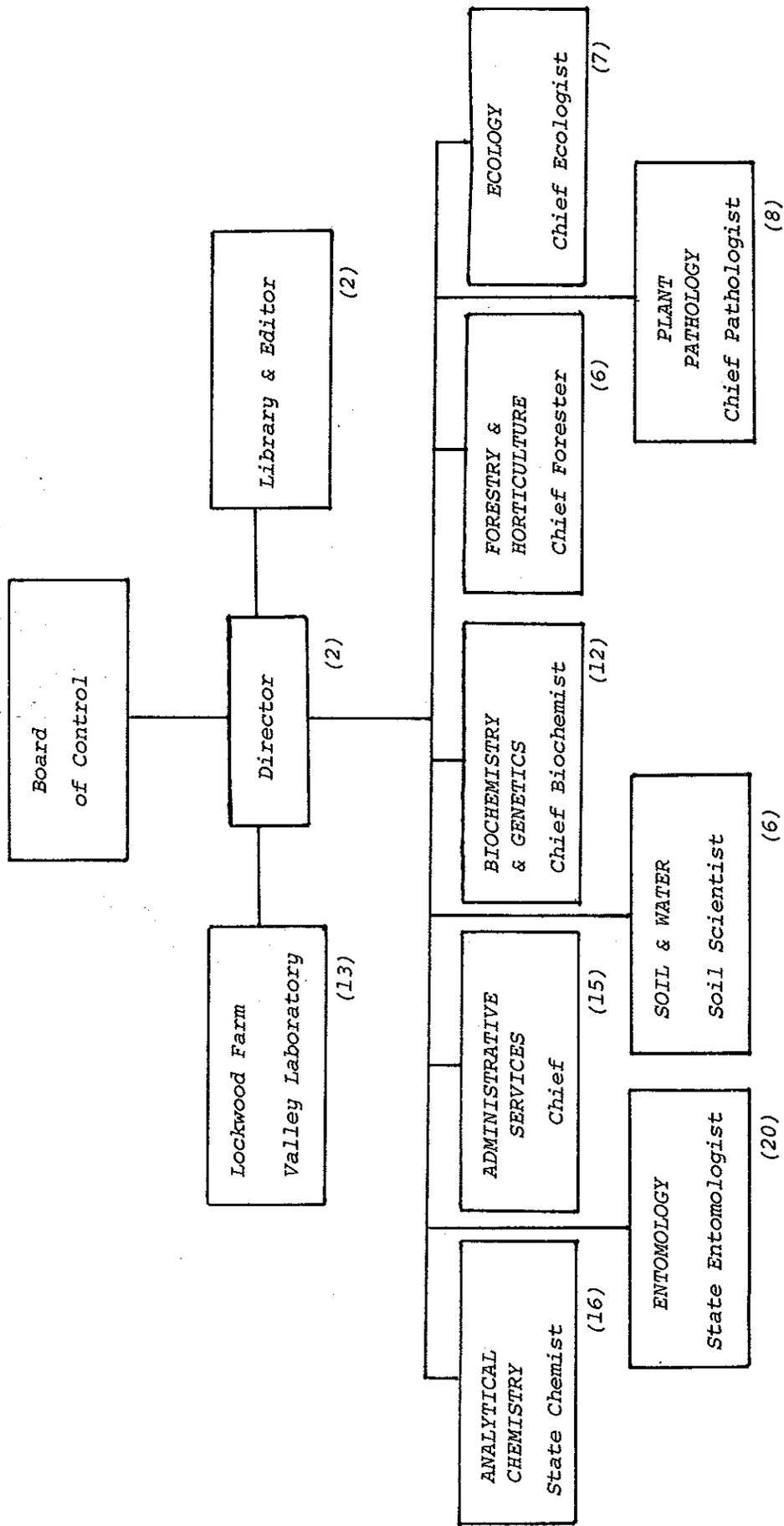
The main location of the station is a five-acre site in New Haven. Most of the station's employees, offices, laboratories and analytical equipment are located there. The station also operates a Valley Laboratory facility in Windsor; its 50.2 acres are used primarily for experimental research projects. Another farm with 61.5 acres of land is located in Hamden. The New Haven property is owned by the State of Connecticut; the deeds to the Hamden and Windsor farms are held by the station Board of Control as trustee.

The Connecticut Agricultural Experiment Station employs more than 100 people in total. For both FY 1980-81 and 1981-82 the station was authorized to fill 121 full-time positions. Almost 40 percent of these are in the scientist classifications while 30 percent are in the technician classifications. The remaining positions are filled by administrative, clerical and maintenance employees. (See Figure II-1 for a diagram of the organizational structure of the station.)

Purpose, Powers and Duties

When the Connecticut Agricultural Experiment Station was first established in 1877, the legislative intent of Public Act 158 was to create an institution "for the purpose of promoting agriculture by scientific investigation and experiments." The

Figure II-1. Connecticut Agricultural Experiment Station--Organizational Chart.



() = Number of people

Source: Connecticut Agricultural Experiment Station.

specific responsibilities originally assigned to the station required it to conduct experiments and perform analytical research. Over time additional regulatory and plant and insect suppression duties were also added.

On May 5, 1981, prompted by a question from a station employee, the Board of Control adopted "A Statement of Purpose and Expectations." The purpose of the station was defined as "research for the advancement of science, and service with excellence." The board stated that it expected the station "to continue to serve the people of Connecticut and society at large by advancing the frontiers of knowledge, by putting science to work for the benefit of mankind."

The statutory powers and duties of the Connecticut Agricultural Experiment Station are variously assigned to the Board of Control, the director, the state entomologist and the station as an entity. In general, all functions except those delegated to the board are carried out by station employees within the context of day-to-day station operations.

The specific responsibilities of the Board of Control are:

- general management of the institution and appointment of a director;
- ownership of such real and personal estate as may be necessary for carrying on its work;
- expenditure of all money appropriated by the state as well as other funds and endowments received by the station in pursuit of the work for which it was established;
- jurisdiction over the appointment and compensation of professional station staff; and
- appointment of a state entomologist.

In addition, the board must make an annual report to the governor, and it may sue and be sued by the name of the Connecticut Agricultural Experiment Station.

The final statutory role of the board is actually carried out by the station employees. C.G.S. Section 22-83 authorizes the board to conduct research and experimental work as to causes and prevention of various diseases and injuries to the Connecticut tobacco crop. In the name of the state, the board may accept monetary gifts and gifts or loans of land and equipment for this purpose.

The station director is given responsibility for the general management and oversight of experiments and investigations. He is also in charge of all matters pertaining to official control, suppression or extermination of insects or diseases that are or threaten to become serious pests of plants of economic importance. Further, he is required to publish, at least annually, information concerning commercial fertilizers. Other powers and duties of the director include the authority to:

- promulgate, and enforce by regulation, quarantines prohibiting or restricting the transportation of certain items carrying dangerous plant diseases or insect infestations;
- investigate and control white pine blister rust or currant rust; and
- seize and destroy European black currant plants.

The statutory activities assigned to the state entomologist primarily concern the regulation of honey bees and nurseries. Specifically, the entomologist:

- may designate members of the station staff to assist with statutory duties related to the regulation of bees and nurseries;
- may issue bulletins needed to convey information about pests;
- may conduct experiments and investigations regarding injurious insects and the remedies for their attacks;
- shall furnish forms to town clerks for the registration of bees that are kept in their towns, provide for the inspection of bees for diseases, and make regulations regarding the inspection and quarantining of bees;
- shall, upon request, survey towns for the magnitude and location of gypsy moth infestations, and may declare an emergency exists because of the prevalence of gypsy moths or that the existence of the moths has reached epidemic proportions;

- may require the inspection of noncertified nursery stock, and shall inspect, at least annually, all nurseries at which woody field-grown hardy trees and plants are grown for sale or shipment;
- shall handle the registration of nurserymen and dealers and issue certificates to nurseries covering the stock inspected; and
- may make such regulations as are deemed necessary to govern the shipment of nursery stock into Connecticut.

Under other statutes (outside of Chapter 426), the Connecticut Agricultural Experiment Station is required to perform certain tests and/or approve certain equipment in areas regulated by other state agencies. Among the agencies involved are the Departments of Agriculture, Consumer Protection and Environmental Protection.

Fiscal Information

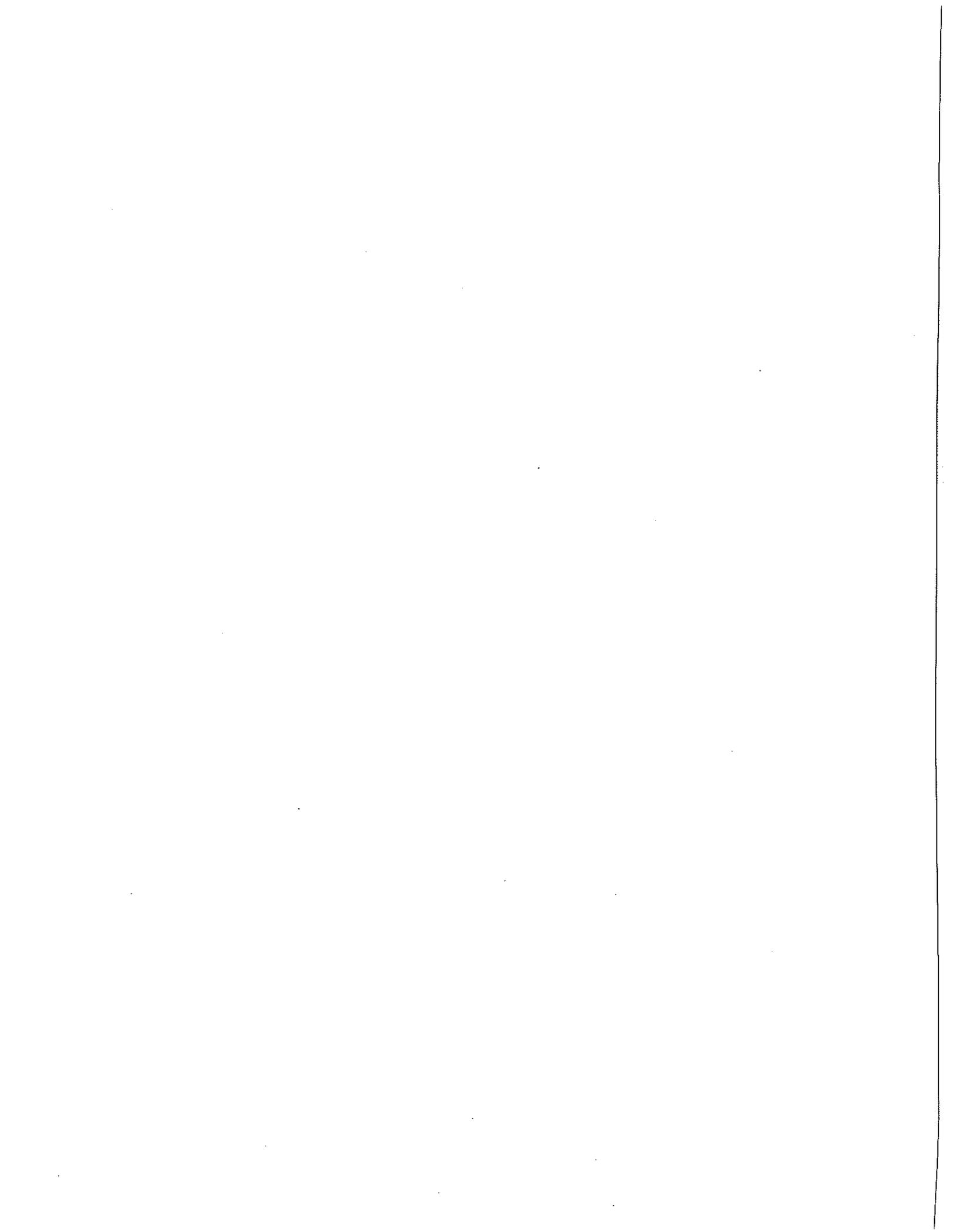
Funding for the Connecticut Agricultural Experiment Station comes from a variety of sources. In addition to the state, federal and private funds included in the executive and legislative budget documents, the station also has access to money from four charitable trust funds and several investment accounts.³ This money is expended upon authorization by the station director and/or Board of Control. Table II-1 presents funding information for the station from the past three fiscal years. At least three-quarters of the station's annual budget is from the state's General Fund.

³ See Appendix C for a description of the funds and their disbursement.

Table II-1. Connecticut Agricultural Experiment Station--Budget Data, FY 1979-80, 1980-81, 1981-82.

	<u>FY 1979-80</u>	<u>FY 1980-81</u>	<u>FY 1981-82</u>
Agency Grant Total	\$2,712,682	\$2,935,316	\$3,188,168
General Fund	2,102,949	2,264,504	2,512,668
Federal	570,768	663,936	667,000
Private	38,965	6,876	8,500
Other Income Available, but not reported in budget document	\$137,996	\$155,556	\$179,636

Sources: Governor's Budget, 1981-82 and 1982-83, and the Connecticut Agricultural Experiment Station.



ACTIVITIES

As the name of the Connecticut Agricultural Experiment Station implies, it is involved in the performance of experimental research in the area of agriculture. The work of the scientists employed by the station is categorized by departments: analytical chemistry, biochemistry and genetics, ecology and climatology, entomology, forestry and horticulture, plant pathology and botany, and soil and water. Annually, goals and objectives are established for each department as well as for the individual scientists within the departments. Technicians assist the scientists in working toward station goals.

Research performed by station scientists covers a wide scope of activity. Some experiments are completed in short periods of time while others involve years of work. As required by a particular experiment, a scientist spends time reviewing previous research in the area, working in his/her laboratory, observing plants at station farms or, in some cases requiring specific field conditions, working at the site of an agricultural producer who has a problem that the knowledge to be gained from the research is intended to help.

During the more than 125 years the station has been in existence, hundreds of experiments have been performed at the station. Some of the research has been very useful to agricultural producers in the state; the benefits of other research have extended beyond the citizens of Connecticut. Figure III-1 details some of the research accomplishments of the station during its early years as well as more recently.

The station holds an annual summer Plant Science Day that serves as a mechanism for the public to observe and discuss the research experiments being carried out at the station. In addition to presenting a series of short talks on a variety of scientific topics, exhibits and field plots are set up at the Hamden farm by station staff. The exhibits provide a sampling of the research activities underway year round at the station's laboratories and farms. In the spring a program featuring talks on several areas of research is held at the station's auditorium in New Haven.

During the course of the sunset review of the Connecticut Agricultural Experiment Station, the program review committee sent a questionnaire to the station scientists and technicians. Eighty-three percent of those employees responded. One of the

Figure III-1. Connecticut Agricultural Experiment Station--
Past Research Activities.

Listed below are some of the major accomplishments during the station's early years and its most recent years.

- c.1910 - Discovery of the essentiality of amino acids in the diet
Discovery of the first vitamin (A)
- c.1920 - Invention of hybrid corn
Invention of Morgan soil test
- c.1970 - Invented a quick test for detecting lead poisoning by analyzing urine
Developed a process to precisely analyze vitamin D in milk
Discovered parasitic wasp that eradicated elm spanworm, which was defoliating trees in Connecticut
Composed the first computer simulator of epidemics of plant disease
- c.1975 - Discovered virus-like entity that kills pathogen of chestnut blight and that compatibilities among strains of the pathogen permit spread of the entity
Located PCB in the sediment of the Housatonic system and showed phosphate is the active ingredient in entrophication

Source: Connecticut Agricultural Experiment Station.

questions concerned the specific activities performed by the staff. That question and the percentage of respondents performing each function are shown below. (Multiple responses were allowed.)

6. Which of the functions listed below do you currently perform? (Please circle the letters next to all responses that apply to you.)

- 71% a. Answer questions from the general public
- 81% b. Perform research experiments
- 38% c. Prepare written materials on agricultural topics of general interest

- 65% d. Discuss research methodologies and exchange data with personnel from other agriculturally oriented institutions
- 30% e. Perform tests for other state regulatory agencies (for example, analyze pesticide samples for the Department of Environmental Protection)
- 62% f. Write up research findings for scientific publications
- 2% g. Teach undergraduate level students
- 2% h. Teach graduate level courses
- 10% i. Perform regulatory inspections mandated to the station by state law (for example, inspect nurseries)
- 76% j. Aid scientists in the performance of their work
- 16% k. Other (please specify) library research; management and supervisory functions; perform veterinary sample analyses for Storrs; discuss research with individuals from non-agriculturally oriented institutions; gypsy moth inspection program

Regulatory and Analytical Activities

Most of the current statutory functions of the Connecticut Agricultural Experiment Station deal with specific plant and insect problems or regulatory requirements that the station has been given responsibility for during the past 80 years. In addition to being charged with overseeing the regulation of honey bees and nurseries, the station also provides analytical services for the Departments of Agriculture, Consumer Protection and Environmental Protection. Station staff also spend time responding to questions from the general public and performing tests on soil samples to determine the nutrient content. Table III-1 presents quantitative data on the informational and analytical tasks performed by station personnel.

The system for regulating honey bees involves both the station and the municipalities in the state. Under C.G.S. Section 22-89, anyone owning honey bees must register them annually in the town where they are kept. The registration fee of 25 cents is payable to the town.

A list of registrants is sent to the station annually by each town. Using that information, the station assigns one or more individuals to visit the apiaries in order to inspect the bees for foulbrood disease. During 1982 only one inspector was available for this task so only about one-fourth to one-third of the apiaries could be inspected. Table III-2 presents data on the number of inspections and the amount of disease found at ten year intervals since 1921.

Table III-1. Informational and Analytical Work Performed by the Connecticut Agricultural Experiment Station.

Year (FY)	Questions Answered	Soil Samples Tested	Food & Drug Samples Analyzed	Animal Feed Samples Analyzed	Fertilizer Samples Analyzed	Pesticide Samples Analyzed	Milk Samples Analyzed
1973-74	14,000	11,624	3,908	496	764	319	N/A
1974-75	16,000	12,000	4,174	542	771	313	412
1975-76	18,000 +	13,700	5,448	681	376	252	N/A
1976-77	18,000 +	12,481	4,121	588	433	285	N/A
1977-78	20,000 +	10,100	4,413	509	352	293	129
1978-79	16,437	10,931	4,674	494	346	338	120
1979-80	15,652	11,616	4,267	535	347	363	170
1980-81	17,000 +	10,166	4,570	814	266	430	170

N/A = Not Available

Source: Digest of Connecticut Administrative Reports to the Governor (for the fiscal years listed in the chart).

Table III-2. Honey Bee Inspections in Connecticut.

Year	Apiaries Inspected	Percent Infected with American Foulbrood	Colonies Inspected	Percent Infected with American Foulbrood
1921	751	2.5	6,972	1
1931	1,232	3	10,678	1
1941	2,222	8	10,720	4
1951	2,632	4	13,895	1
1961	1,720	1	7,013	0.5
1971	1,592	3	6,157	1
1980-81	375	N/A	1,577	1.6

Source: Connecticut Agricultural Experiment Station Bulletin 752 and Record of the Year, 1980-81.

In Connecticut the regulation of nursery stock, nurseries, nurserymen and dealers is under the jurisdiction of the state entomologist (C.G.S. Sections 22-96 through 22-101). In addition to ensuring that nursery stock shipped into the state contain certificates of inspection indicating they appear free of dangerous insects and diseases, the entomologist and his staff are also responsible for annually inspecting nurseries. Nurserymen and dealers (those who sell but do not grow stock) must register annually with the state entomologist. Table III-3 includes data on the number of individuals regulated by the state and the number of inspections performed during the past five years.

Table III-3. Nursery Regulatory Activities in Connecticut.

Year (FY)	Nurseries Certified for Interstate Shipment	Nurseries Inspected	Nursery Dealers Permitted	Acres of Nursery Stock Inspected
1977-78	515	545	189	6,256
1978-79	514	541	177	6,351
1979-80	514	525	172	6,247
1980-81	478	506	161	6,120
1981-82	452	485	155	6,725

Source: Connecticut Agricultural Experiment Station.

Another area of station work that has received extensive publicity recently is the control of gypsy moths. Under the statutes, the state entomologist, upon request, is responsible for surveying towns for the magnitude and location of gypsy moths. With the increased appearance of the moths in Connecticut the past few years, the station has been asked to survey more towns. In 1980, 2 towns were surveyed, in 1981 32 towns and in 1982 more than 60 towns. Other station efforts in this area are aimed at experimenting with alternative measures for the suppression of gypsy moths.

Board of Control

The Connecticut Agricultural Experiment Station Board of Control meets four times a year. By statute the annual meeting is in January and must be held in Hartford. The summer meeting in August is held at the Lockwood Farm in Hamden in conjunction with Plant Science Day. The spring and fall meetings are generally held at the station's facilities in New Haven, although occasionally the board will meet at the Valley Laboratory in Windsor.

Average attendance at board meetings is six members. The governor, an ex officio member, serves as chairperson. During the past two years he has not attended any of the board's meetings, but two individuals in the Office of Policy and Management have been designated as alternates for him. The vice chairman runs the meetings when the governor is not present.

Items taken up by the board during its meetings include:

- approval of minutes;
- updates on news stories involving the work of the station;
- the station's budget, including expenditures during the current fiscal year as well as future requests;
- status reports on various research projects;
- information on recent or pending station publications; and
- relationships with other agricultural and scientific organizations.

At the end of each meeting, the board holds an executive session to vote on promotions, leaves of absence, special staff appointments and the selection of employees in certain classifications.

ANALYSIS AND RECOMMENDATIONS

During the process of deciding whether the Connecticut Agricultural Experiment Station should be sunsetted, the Legislative Program Review and Investigations Committee considered the role of the Storrs Agricultural Experiment Station, the composition of the Connecticut Board of Control, the internal management of the Connecticut institution and the need for certain state regulatory requirements. The final recommendations of the committee are interrelated, although the various issues are dealt with separately.

Continuation of the Station

The program review committee examined four options for the Connecticut Agricultural Experiment Station:

- 1) sunset the Connecticut station;
- 2) merge the Connecticut station with the Storrs Agricultural Experiment Station;
- 3) place the Connecticut station within another state agency such as the Department of Agriculture or the Department of Environmental Protection; or
- 4) continue the Connecticut station within the Office of Policy and Management for administrative purposes only.

When the Connecticut station was established in 1875, it was the first such station in the United States. Created to work on problems with the quality of fertilizers, the station has subsequently been given responsibility for a wide range of functions. In 1887, a second agricultural experiment station was established in Connecticut; it was located in Storrs at what is now the University of Connecticut.

Since the turn of the century every study commission that has looked at the functions and operation of the Connecticut and Storrs stations has questioned the need for two separate entities. Connecticut is one of only two states in the country that has more than one station site, and it is the only state where an agricultural experiment station is not connected with the state land grant university system.

The argument that the stations are different because the Connecticut station was set up to deal with plants and insects and the Storrs station to deal with animals is complicated by the fact that today both stations are handling functions broader than those areas. The Connecticut station is involved in environmental issues as well as analytical activities such as the examination of animal tissues for Storrs. The Storrs station is doing research of interest to nurseries and is working on experiments related to the production of food. Many of the individuals and groups that expressed support for the Connecticut station during the sunset review process cited the value of non-agricultural activities as the rationale for continuing the station. In addition, they cited services, such as soil sample testing, that are also performed by the Storrs station. It is clear that if the two stations do not in fact duplicate certain tasks, there are at least great similarities between their complementary functions.

Determination of the cost savings to be realized by a merger of the two stations, however, is difficult to achieve. Even if the administrative structures are combined, there will still be two physical locations that have to be maintained. Placing the Connecticut station within the structure of the University of Connecticut at this time could also become complicated by the implementation of other recent legislative changes in the state's higher education system. Alternately, placement of the Storrs station within the Connecticut station under the Office of Policy and Management would result in new duplication because the university has indicated a need for the faculty and students of its College of Agriculture and Natural Resources to have access and close proximity to research facilities. In addition, effective operation of the Cooperative Extension Service, which is currently under the University of Connecticut, requires a connection with the university and an experiment station.

Accordingly, the Legislative Program Review and Investigations Committee recommends continuation of the Connecticut Agricultural Experiment Station within the Office of Policy and Management for administrative purposes only. This recommendation is made because the station has produced valuable research in the past (for example, discovery of the first vitamin and the invention of hybrid corn), and it is currently involved in research of public concern (for example, gypsy moth control). The Connecticut station also provides informational services to agricultural producers in the state as well as members of the general public interested in plants and insects.

The recommendation to maintain the status quo location of the Connecticut station is made in conjunction with other internal

organizational changes described in subsequent recommendations. The station's long history of serving the state is an important reason for not sunsetting the Connecticut Agricultural Experiment Station, but that tradition does not preclude making changes in its operation that will improve its accountability and usefulness to the public.

The loss of certain trust funds if the structure of the Connecticut station is changed was considered during the committee's analysis. That possibility was not determined to be a major argument for continuing the station, however, because under the terms of the trusts the funds will continue to be used for agricultural purposes by other organizations.

Board of Control

The eight-member Board of Control is the policy-setting body for the Connecticut Agricultural Experiment Station. It includes representatives of the executive branch, institutions of higher learning and the public. The program review committee believes it is important that a group such as this exist to provide guidance and advice to the station director.

Therefore, the Legislative Program Review and Investigations Committee recommends the continuation of the Connecticut Agricultural Experiment Station Board of Control (C.G.S. Section 22-79).

Board Meetings

The statutes concerning the Connecticut Agricultural Experiment Station deal only briefly with the composition and functioning of the Board of Control. It is the belief of the program review committee that certain changes consistent with previous recommendations of the committee and provisions of Public Act 80-484 related to other state boards should be adopted for the Board of Control.

Therefore, the Legislative Program Review and Investigations Committee recommends that the provisions of the committee's model concerning meeting frequency, quorums, attendance, number of terms and reimbursement be statutorily mandated for the Connecticut Agricultural Experiment Station Board of Control. Specifically:

- *the board shall be required to meet quarterly;*
- *a majority of the board shall constitute a quorum;*
- *any member who fails to attend three consecutive meetings or to attend 50 percent of all meetings during any calendar year shall be deemed to have resigned;*

- *no member shall serve more than two consecutive full terms; and*
- *members shall not be compensated for their services but shall be reimbursed for necessary expenses incurred in the performance of their duties.*

The governor and the station director shall be exempt from the restrictions on the number of terms that can be served.

Selection of Station Director

At the present time the director's position is unclassified and as such a specific job specification is not required. The station Board of Control has adopted a set of qualifications, but they are not available through the state personnel office. In order to facilitate the state's affirmative action efforts and equal employment opportunity goals, the program review committee believes it is important that information about requirements for specific state positions be available to interested parties. An open process is also important if the board hopes to hire the most capable and qualified professional for the job of director. Formal adoption and publication of a job specification for the director's position will ensure that information about the basis for selecting the director is available to all employees.

The Legislative Program Review and Investigations Committee recommends the Board of Control be allowed to continue selecting the station director, but that they develop a formal job specification for the position within the state personnel system requirements, including enumeration of specific qualifications. Also, open advertisement of the director's position should be required whenever a vacancy occurs because of retirement, resignation or dismissal.

Station Trust Funds

The Connecticut station is the trustee or beneficiary of four trust funds. Using unexpended income received from those trusts, the station has also accrued money in a Reserve Fund. As of July 1, 1982, the fair market value of these accounts totaled more than \$2 million, and the income from them was almost \$180,000 during FY 1981-82. (See Appendix C.)

The annual income and disbursement of money from these accounts is not included in the budget material presented to the legislature during the annual budget development process.⁴

⁴ The funds are audited by an outside public accounting firm and the audit reports are made available to the State Auditors during their regular reviews of the station's operations.

Although the state does not have the authority to specify how these monies will be used, the program review committee believes the governor and the General Assembly should be aware of the amounts and uses to which this money is put. This requirement is in keeping with a 1980 program review committee recommendation that the Veterans' Home and Hospital Commission, in presenting its budget to the Appropriations Committee, account for all expenditures from the Institutional General Welfare Fund.

Therefore, the Legislative Program Review and Investigations Committee recommends that all funds available to the Connecticut Agricultural Experiment Station be reported to the legislature annually.

Outside Grants

Under the provisions of the contract between the Connecticut station and its employees, grants can be sought:

When a strategic opportunity is found for the Station to pursue a problem of great practical or scientific significance or to solve a problem of importance to the people of Connecticut and money beyond the funds of the Station is clearly critical....⁵

A process is then spelled out for a scientist to get approval for a specific request.

In fact, it does not appear that many grants are obtained by the station. It reports limited outside income annually, and comments from station employees have been made that grant applications are discouraged. Unlike a number of other state institutions that promote their ability to attract research funding to the state, the Connecticut Agricultural Experiment Station emphasizes that it asks the legislature only for whatever funds that body feels are appropriate for continuing the work of the station.

While it is commendable that the Connecticut station does not request large annual increases in state funds, the station may be limiting its ability to serve the citizens of the state by not being more active in seeking money that is available for agricultural research. A budget that is too lean to accomplish the purposes of an institution can be as wasteful as an excessive budget.

⁵ State of Connecticut and Connecticut State Employees Association, Engineering, Scientific and Technical (P-4) Contract and Connecticut Agricultural Experiment Station Addendum (July 1, 1979), Article XI, p. 75.

Therefore, the Legislative Program Review and Investigations Committee recommends that the station Board of Control be required to develop a written policy on private and federal grants that will encourage applications within established guidelines.

Cooperative Relationships

Although the state has two agricultural experiment stations receiving government support, there is virtually no formal contact between the two institutions. At one time the stations shared the same director, but the present relationship involves only informal contacts between employees of the two stations. Analysis of the Legislative Program Review and Investigations Committee survey sent to professional staff at the station found that two-thirds of the respondents agreed or strongly agreed that the station's formal interaction with other state entities (such as the Storrs station) should be improved. (See Appendix A for survey responses.)

The program review committee believes there are many benefits to establishing a more visible relationship between the two stations. These include reducing duplicative research, improving staff morale and reducing the confusion of the public about the roles of the two organizations.

Accordingly, the Legislative Program Review and Investigations Committee recommends that increased coordination between the Connecticut station and the Storrs station be required. Specifically, each institution shall submit its annual research agenda to the other, and the directors of the two stations shall meet at least quarterly. Reports on the activities of the two directors shall be sent to the University of Connecticut Board of Trustees and the Board of Control of the Connecticut station.

Regulatory Responsibilities

The Connecticut Agricultural Experiment Station has statutory responsibility for the regulation of honey bees and nurseries. While neither of these duties consumes a large amount of station resources, the legal restrictions do take up a major portion of the statutes related to the station.

Honey bees are important for their role in the pollination of crops and orchards as well as the production of honey. Without bees, the production cycle of certain foods might be altered. There are two major threats to bees--foulbrood disease and certain pesticides. State regulatory programs that require the registration and periodic inspection of bee hives are intended to reduce the losses from both of these causes.

The existence of registration lists is intended to provide pesticide sprayers with information about the location of bees so beekeepers can be informed that spraying will occur and the bees in the affected area can be moved. It is unclear whether these warnings are actually given. Under the current registration process, lists of bees are kept by each town clerk and on or before December 1 of each year, this information is sent to the Connecticut Agricultural Experiment Station. Based on telephone conversations that program review staff had with several beekeepers, it is apparent that not all beekeepers in the state have registered, or in cases where they have bees in more than one location, that they have registered in all those towns. As a result, even if someone applying a pesticide wanted to contact the bee owners in the area to be sprayed, no complete record of beekeepers exists.

The use of the registration process to locate bee hives to inspect for foulbrood is also hindered by the lack of a comprehensive listing of beekeepers. Preventing the spread of this flu-like illness is further complicated by the fact that it is impossible for the one existing inspector to visit all of the known hives every year during the May to October season.

Concern that food production, and subsequently public welfare, may be affected if foulbrood disease increases in the future caused the program review committee to recommend the continuation of the current bee regulation program. However, in recognition of the problems associated with the system, particularly with respect to pesticide spraying, the committee believes the legislature's Environment Committee should examine the concerns expressed during the sunset review. To assist that committee, information on bee regulation programs in the other New England states is included in Appendix E.

The Legislative Program Review and Investigations Committee recommends that the current system of registering and inspecting honey bees (C.G.S. Sections 22-89 and 22-90) be continued. However, the committee suggests that in view of the problem with pesticides that the Environment Committee of the legislature look into this matter.

With respect to the regulation of the nursery industry, the evidence presented to the program review committee showed that the current system seems to be working satisfactorily. No specific suggestions for changes in this area were made at either of the committee's two public hearings. Therefore, the Legislative Program Review and Investigations Committee recommends continuation of the present system of regulating nurseries (C.G.S. Sections 22-96 through 22-101).

Soil Test Fees

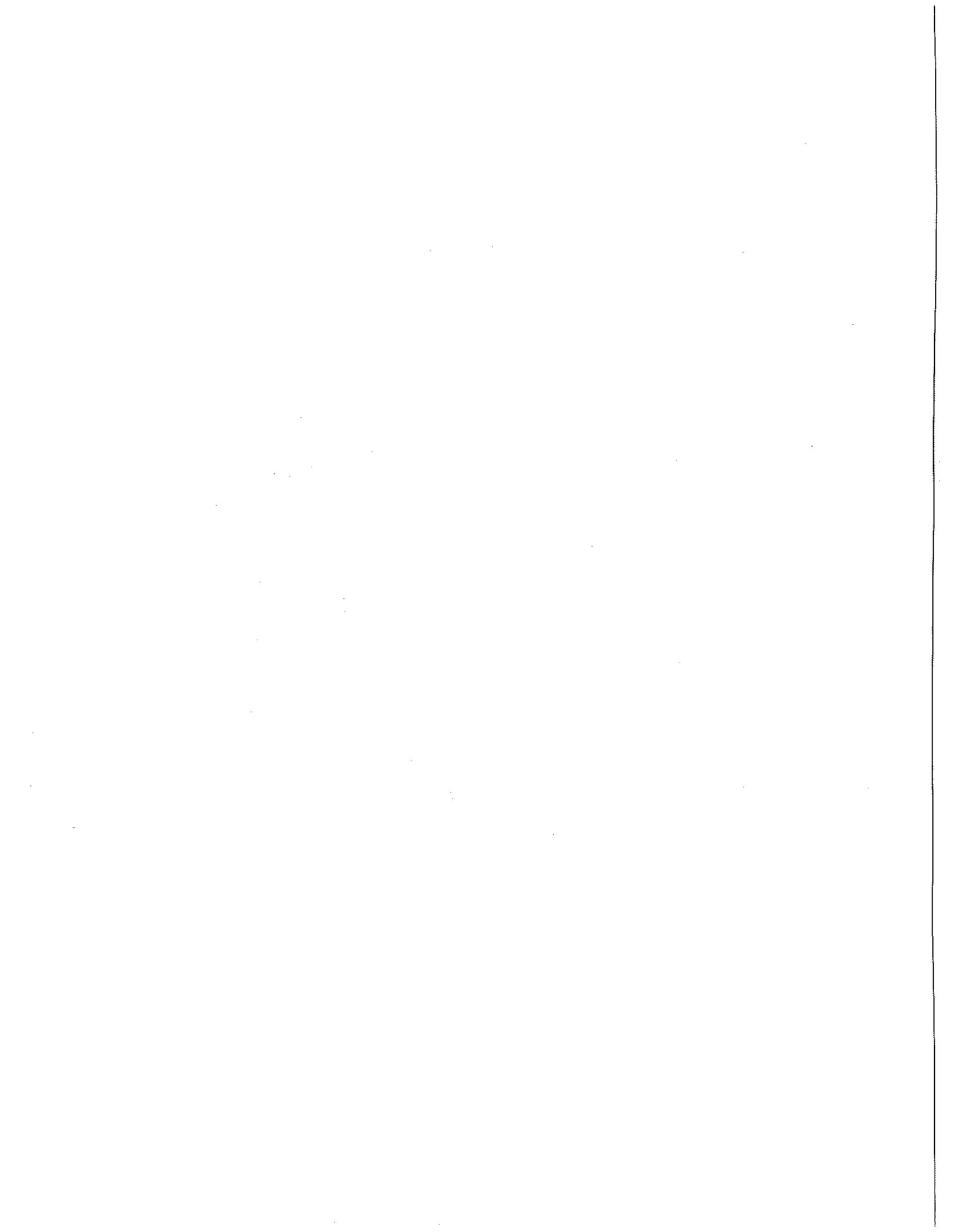
The Connecticut station currently performs free soil analyses for the public. The program review committee discussed the possibility of instituting a fee for this service but was concerned that the cost of collecting a fee would equal the amount collected. *The Legislative Program Review and Investigations Committee recommends that for the present time the Connecticut Agricultural Experiment Station continue to perform its soil analysis tests free of charge.*

Statutory Deletions

Section 22-86 of the Connecticut General Statutes, which was adopted in 1917, gives the director of the Connecticut station the authority to investigate and control white pine blister rust. C.G.S. Section 22-87, adopted in 1929, deals with possession of European black currant plants. It is the belief of the station that neither of these laws needs to remain in statute, and the program review committee agrees.

Therefore, the Legislative Program Review and Investigations Committee recommends that Sections 22-86 and 22-87 be deleted from the Connecticut General Statutes.

APPENDICES



APPENDIX A

SUNSET 1983

Connecticut Agricultural Experiment Station--Professional Staff

Questionnaire

N=63

1. Approximately how long have you worked for the Connecticut Agricultural Experiment Station? _____ years _____ months

<u>less than 1 year</u>	<u>1-3 years</u>	<u>3+-5 years</u>	<u>5+-10 years</u>	<u>10+-20 years</u>	<u>20 + years</u>
10%	13%	10%	21%	22%	25%

2. Is your position in the technician 40% or scientist 60% classification series? (Please check one.)

3. Have you had contact with any members of the Board of Control other than the director of the station? Yes No
56% 44%

3a.) If yes, have you:

16% presented information at a board meeting

14% responded to specific written or verbal inquiries

44% met in a social setting

21% other (please specify) at Plant Science Day or other station function;
attended board meeting as an observer; professional contact

4. How often do you work with or share data with individuals from the following organizations?

	<u>Fre- quently</u>	<u>Some- times</u>	<u>Rarely</u>	<u>Never</u>	<u>N/A</u>
Agricultural Experiment Stations in other states	14%	35%	16%	29%	6%
Connecticut Department of Agriculture.....	11	21	22	44	2
Connecticut Department of Consumer Protection...	13	11	19	52	5
Connecticut Department of Environmental Protection	21	22	22	33	2
Cooperative Extension Service.....	14	16	30	35	5
Southern Connecticut State College.....	2	6	29	59	5
Storrs Agricultural Experiment Station (University of Connecticut).....	14	24	16	41	5
Wesleyan University	-	-	24	71	5
Yale University.....	8	27	25	36	3

5. How would you characterize the contact you have had with individuals from the Storrs Agricultural Experiment Station? (Please check all applicable responses.)

22% Have worked directly with Storrs station staff on a project or experiment

33% Have shared research data from my own work with Storrs station staff

24% Storrs station staff have shared their research data with me

32% Meet occasionally with Storrs station staff to talk about areas of work

38% Have referred people seeking information about a topic to personnel at the Storrs station

44% Have had no contact

8% Other (please specify) Storrs staff have referred people to New Haven;

analyzed samples for Storrs

6.* Which of the functions listed below do you currently perform? (Please circle the letters next to all responses that apply to you.) Also, for those functions you circled, please indicate the approximate percent of your total annual time that is spent on each function.

71% a. Answer questions from the general public

81% b. Perform research experiments

38% c. Prepare written materials on agricultural topics of general interest

65% d. Discuss research methodologies and exchange data with personnel from other agriculturally oriented institutions

30% e. Perform tests for other state regulatory agencies (for example, analyze pesticide samples for the Department of Environmental Protection)

62% f. Write up research findings for scientific publications

2% g. Teach undergraduate level students

2% h. Teach graduate level courses

10% i. Perform regulatory inspections mandated to the station by state law (for example, inspect nurseries)

76% j. Aid scientists in the performance of their work

16% k. Other (please specify) library research; management and supervisory

functions; perform veterinary sample analyses for Storrs; discuss

research with individuals from non-agriculturally oriented institu-

tions; gypsy moth inspection program

* Percentages shown refer to the number of respondents who perform each function. Calculations for percent of time spent per function are not shown.

7. Which of the functions listed below do you think your job should involve?
 Please rank them in the order of priority you believe they should be given.
 (1 = most important, 2 = next most important, 3 = third most important, etc.
 If you believe an area is not an appropriate one for your position, mark it N/A.)

Rank	Modal
	<u>4</u> Answer questions from the general public
1 (53%)	<u>1</u> Perform research experiments
	<u>N/A</u> Prepare written materials on agricultural topics of general interest
3 (24%)	<u>3</u> Discuss research methodologies and exchange data with personnel from other agriculturally oriented institutions
	<u>N/A</u> Perform tests for state regulatory agencies (for example, analyze pesticide samples for the Department of Environmental Protection)
2 (45%)	<u>2</u> Write up research findings for scientific publications
	<u>N/A</u> Teach undergraduate level students
	<u>N/A</u> Teach graduate level courses
	<u>N/A</u> Perform regulatory inspections mandated to the station by state law (for example, inspect nurseries)
	<u>N/A</u> Aid scientists in the performance of their work
	<u>N/A</u> Other (please specify) _____

8. For each of the following statements, please indicate the degree to which you agree or disagree.

	<u>Strongly Agree</u>	<u>Agree</u>	<u>Disagree</u>	<u>Strongly Disagree</u>	<u>N/A</u>
a) The purpose of the Connecticut Agricultural Experiment Station is clearly defined.	40%	38%	13%	8%	2%
b) The professional staff of the station should be given a greater role in the selection of research projects.	40	32	21	5	3
c) Station personnel are given opportunities to advance professionally within the organization.	14	32	17	35	2
d) Lines of communication are open between the different organizational levels within the station.	11	21	22	44	2
e) The station's formal interaction with other state entities involved in agricultural activities should be improved (for example, the Storrs Agricultural Experiment Station).	27	41	22	6	3
f) The regulatory functions currently assigned to the station could be performed by other state agencies (if they were given the necessary staff and equipment).	10	41	35	13	2

9. The primary beneficiary of scientific research performed at the Connecticut Agricultural Experiment Station should be (please select only one response):

- 37% a) Society in general
- 2% b) Commercial agricultural producers
- 56% c) Connecticut citizens in general
- 2% d) Connecticut food producers
- 3% e) Other (please specify) agricultural scientists who work through extension agents to transfer information to the farmer; a,b and d

10. Are there any other comments or suggestions you would like to make about the future operation of the Connecticut Agricultural Experiment Station? _____

- no comments - 25%
- current operation of station and its independent nature are good and should be kept - 13%
- there is a lack of effective communication between management and staff - 13%
- scientists should have more say - 10%
- concern expressed about the high turnover of personnel - 8%
- morale problems cited - 8%
- policy prohibiting outside grants should be changed - 8%
- technicians should be given the opportunity to publish and have room for advancement - 8%
- merge the station with UConn or at least change the relationship with Storrs so that graduate students are accepted at the station and New Haven staff can do some teaching - 6%
- method of selecting director should be changed - 5%
- the board of control is a rubber stamp for the director - 3%
- experiments are being repeated on work that has already been proven at other institutions - 2%
- no other state organization deals with agricultural problems as effectively as the station - 2%
- original purpose of station--protect consumers from fraud and contamination of consumer products--seems to be getting lost in the shuffle - 2%
- the station is fragmented into too many departments - 2%
- there should be more emphasis on basic research - 2%

APPENDIX B

SUNSET REVIEW - 1983

N=6

Connecticut Agricultural Experiment Station Board of Control

Questionnaire

- 1) How long have you served on the Board of Control? _____ years _____ months
 2) Are you (please check one): *average: 6.1 years; range: 3-15 years*

- 17% a) an ex officio member (go to Ques. 4)
33% b) the designee of an ex officio member (go to Ques. 4)
50% c) a public member (go to Ques. 4)
 d) an appointee of a statutorily specified organization

- 3) As an appointee of a specific organization, do you:

a) work for the organization? Yes No

b) receive advice from anyone in the organization on matters that the Connecticut Agricultural Experiment Station has jurisdiction over? Yes No

If yes, who (title or position): _____

c) provide information about station activities and/or decisions to that organization on a regular basis through a formal mechanism? Yes No

If yes, what mechanism? _____

d) provide information about station activities on an informal basis to someone from that organization? Yes No

- 4) In general, what is your role in the process of making decisions for each of the following station activities? Please circle your role in each case, using the following key:

- 4 = Make final decision (Decide)
 3 = Recommend final decision and/or alternatives to that decision (Rec)
 2 = Provide background and/or general information considered necessary for making the decision (Info)
 1 = No role in decision making process (No Role)

	<u>Decide</u>	<u>Rec</u>	<u>Info</u>	<u>No Role</u>	<u>N/A</u>
a. Appointing the station director.....	83%	-	-	17%	-
b. Developing an annual budget for the operation of the station.....	50%	33%	17%	-	-
c. Establishing general management policies for the station.....	50%	50%	-	-	-
d. Determining which research projects will be conducted at the station.....	33%	33%	17%	-	17%

	<u>Decide</u>	<u>Rec</u>	<u>Info</u>	<u>No Role</u>
e. Conducting research and experimental work on the causes and prevention of diseases and injuries to the Connecticut tobacco crop.....	50%	33%	-	17%
f. Preparing an annual report to the governor.	17%	17%	-	67%
g. Hiring and promoting station personnel.....	50%	33%	-	-

5) For each of the following statements, please indicate the degree to which you agree or disagree.

	<u>Strongly Agree</u>	<u>Agree</u>	<u>Disagree</u>	<u>Strongly Disagree</u>	<u>N/A</u>
a) The purpose of the Connecticut Agricultural Experiment Station is clearly defined.	100%	-	-	-	-
b) The Board of Control provides a forum for the exchange of information between different groups interested in agricultural research activities.	17%	67%	17%	-	-
c) Whenever possible, the station director should solicit the advice of other board members before deciding a scientific research project will be undertaken.	50%	17%	17%	-	17%
d) The station's formal interaction with other state entities involved in agricultural activities should be improved (for example, the Storrs Agricultural Experiment Station).	-	33%	50%	17%	-
e) The regulatory functions currently assigned to the station could be performed by other state agencies (if they were given the necessary staff and equipment).	-	-	50%	33%	17%

6) The primary beneficiary of scientific research performed at the Connecticut Agricultural Experiment Station should be (please select only one response):

- _____ a) Society in general
- _____ b) Commercial agricultural producers
- 67% c) Connecticut citizens in general
- _____ d) Connecticut food producers
- 33% e) Other (please specify) _____

7) Are there any other comments or suggestions you would like to make about the future operation of the Connecticut Agricultural Experiment Station?

N/A = No Answer

APPENDIX C

THE CONNECTICUT AGRICULTURAL EXPERIMENT STATION
Board of Control Trust Accounts

For Year Ending June 30	1980	1981	1982
<u>JOHNSON-OSBORNE TRUST</u>			
F.M.V.	388,798	423,665	382,957
Income	30,462	33,143	35,898
<u>INVESTED INCOME</u>			
F.M.V.	156,938	204,060	254,855
Income	12,572	16,294	21,673
<u>LOCKWOOD TRUST</u>			
F.M.V.	545,900	581,802	515,587
Income	40,122	41,463	41,195
<u>LOCKWOOD INVESTED INCOME</u>			
F.M.V.	142,004	144,704	133,300
Income	12,222	11,379	13,428
<u>SAMUEL JOHNSON TRUST</u>			
F.M.V.	76,993	76,838	68,353
Income	5,638	5,016	6,391
<u>JONES GENERAL TRUST</u>			
F.M.V.	340,268	343,286	320,043
Income	20,609	23,314	24,099
<u>RESERVE FUND</u>			
F.M.V.	209,649	257,038	362,813
Income	16,371	24,947	36,952

THE CONNECTICUT AGRICULTURAL EXPERIMENT STATION
BOARD OF CONTROL TRUST ACCOUNTS - ANNUAL REPORT

	1980	1981	1982
FOR YEAR ENDED JUNE 30			
SOURCE OF FUNDS:			
William Lockwood General Trust	\$38,678.52	\$38,132.52	\$38,009.45
William Lockwood Investment	11,692.46	10,124.69	12,239.07
Johnson Trust	5,279.35	4,263.95	5,512.24
Jones General Trust	19,804.92	20,763.00	21,885.26
Reserve Fund	14,417.16	22,538.70	38,280.39
Misc.interest, Royalties, Etc.	1,540.29	352.65	356.97
Total Funds Available	91,412.70	96,175.51	116,283.38
		* 10,374.00	
USE OF FUNDS:			
Expenditures:			
Equipment	440.59	19.10	478.05
Supplies	4,124.09	557.26	1,614.42
Publications	436.78	389.98	989.50
Repairs	7,205.30	290.69	-0-
Travel, Out of State	747.93	785.04	256.06
Lockwood Farm	1,838.87	12,639.61	2,126.87
Windsor Laboratory	64.99	143.78	319.08
Fixtures	-0-	-0-	-0-
Dues, Subscriptions	2,151.30	1,430.00	629.00
Lockwood Lectures	2,728.90	3,772.65	2,821.37
Recruitment	1,073.08	1,919.28	4,110.08
Expenses of Dr. Horsfall	2,345.20	812.90	337.75
Travel, In State	-0-	-0-	69.60
Part-time Employment	2,107.41	9,959.77	1,975.10
Trust Expenses	6,034.92	3,954.11	4,023.65
Plant Science Day	1,126.69	1,759.04	2,568.87
Misc (Aerial Survey-1981)	41.50	705.20	-0-
Total Expenditures	32,467.73	39,138.41	22,319.40
Deposited to Reserve Fund:	58,500.00	66,000.00	95,000.00
Excess (Deficiency) of			
Revenues Over Expenditures	444.97	1,411.10	(1,036.02)
Bank Balance Begin Fiscal Year	(43.60)	401.37	1,812.47
Bank Balance End Fiscal Year	401.37	1,812.47	776.45

*Funds available are for 13 months. Adjustment necessary to conform with Auditor's Year End.



**LEGISLATIVE PROGRAM REVIEW
AND INVESTIGATIONS COMMITTEE**

LEGISLATIVE OFFICE BUILDING, 18 TRINITY ST., HARTFORD, CT 06106 (203) 566-8480

August 11, 1982

TO: Anne E. McAloon, Senior Analyst

FROM: Ken Levine, Staff Attorney

RE: Effects of the Connecticut Agricultural
Experiment Station Options on the Ability of
the State to Use Certain Trust Properties

SENATOR

Carl A. Zinsser
Co-chairman

REPRESENTATIVE

Joseph H. Harper, Jr.
Co-chairman

SENATE MEMBERS

John C. Daniels
M. Adela Eads
Nancy L. Johnson
Margaret E. Morton
Amelia P. Mustone
Carl A. Zinsser

HOUSE MEMBERS

William J. Cibes
J. Peter Fuscas
Joseph H. Harper, Jr.
Carol A. Herskowitz
Dorothy K. Osler
William J. Scully, Jr.

Michael L. Nauer
Director

I. Introduction

The Connecticut Agricultural Experiment Station (CAES) is the trustee of three charitable trusts and the beneficiary of a fourth charitable trust. The terms of each of these trusts are outlined in Table 1.

A trust separates the responsibility of ownership of specific property from the benefit of ownership. Where CAES is the trustee, it holds legal title and, therefore, has the responsibility of ownership. Where the station is the beneficiary, it has equitable title and, therefore, has the benefit of ownership.

Under the terms of the trusts outlined in Table 1, where the CAES is the trustee, it has a fiduciary obligation to hold the legal title to the trust property exclusively for the benefit of the beneficiary. The beneficiary (of the three trusts in which the station is trustee) is not definite since no individuals are identified. Instead the station as trustee is empowered to use the money to promote agriculture under the terms of two of the trusts (Lockwood and Jones) and to promote scientific research under the terms of a third trust (Samuel Johnson). Accordingly, the station as trustee could have decided to distribute trust funds to other entities to promote these purposes. Instead the station as trustee has distributed the funds to the station itself for the purposes expressed in the trust instruments.

The termination of CAES or a change in its organization, such as merging it with the Storrs Agricultural Experiment Station, placing it within a state agency or changing the composition of its board of control, may affect the continuing ability of the station to draw upon the income or use property available under certain trusts. Generally if the station ceases to be the trustee or beneficiary under these trusts, the station will lose this ability.

The terms of the trust instrument are important in determining how changes in the operation of the station will affect its ability to draw upon the trust funds. Since the administration and supervision of trusts are the constitutional responsibility of the judiciary, not the legislature, legislation changing the terms of a trust or the nature or legal capabilities of either a trustee or beneficiary may be the subject of litigation to secure a judicial construction¹ of the trust instruments. City of Hartford v. Larrabee Fund Ass'n, 169 Conn. 319 (1971); Macy v. Cunningham, 140 Conn. 124 (1953) and Bridgeport Public Library and Reading Room v. Burroughs Home, 85 Conn. 309 (1912).

II. Effects of Options

A. Termination of station

Lockwood Trust. If the station is terminated, it will cease to be the trustee under the terms of the Lockwood Trust. The reversionary clause will be triggered and there will be an absolute gift over to Yale University to be used to promote agriculture. The station would lose the power as trustee to apply the net income of the trust to the purposes of agriculture. Since the trustee also holds legal title to certain land that the station has been using, the state would also lose the use of this property.²

Jones Trust. If the station is terminated, it will cease to exist as a separate corporate entity under the terms of the Jones Trust. The reversionary clause would be triggered and these funds would be placed in the Jones Fund (formerly the Edward Murray East Fund) to be disbursed by Research Corporation (a non-profit corporation) for scientific (biological) investigation.

¹ Under judicial construction, the court will determine the proper explanation of ambiguous terms or provisions in the trust instrument, or the application of the instrument to the legislative change, by reasoning from other writings or applying the probable aim and purpose of the trust provision.

² In addition to an outline of the terms of each trust, a list of such land and the net income and fair market value of the principal of each of these trusts for FY 1981-82 may be found in Table 1.

The Board of Control of the station would lose the power as trustee to apply the principal and net income of the trust for the promotion of agriculture.

Samuel Johnson Trust. If the station is terminated, it will cease to be the trustee under the terms of the Samuel Johnson Trust. The station will lose the power to apply the use of the trust's income for purposes of scientific research. The court would select a successor trustee to fulfill the purposes of the trust.

Johnson-Osborne Trust. If the station is terminated, it will no longer be the beneficiary under the terms of the Johnson-Osborne Trust. Either cy pres³ will be applied or the property will revert to the heirs of the testator.

B. Merger

If CAES is merged with the Storrs Agricultural Experiment Station under the authority of the University of Connecticut, the ability of the station to draw upon funds available under certain trusts may be affected.

Lockwood Trust. Under the terms of the Lockwood Trust, if the two stations are merged, the court may find that the Connecticut station ceased to exist and, therefore, ceased to be trustee. As a result, the reversionary clause in the Lockwood Trust will be triggered and the gift-over will be made to Yale University.

Since the station will still exist and have the same functions, albeit as part of a larger entity under the authority of the University of Connecticut, the court could, however, view this as merely a change in the governing body of the station. In that case the station would still be the trustee and the reversion would not occur. The trust instrument appears to provide for the contingency of a change in the governing body by authorizing the "board of control or governing body" to apply the net income of the trust to promote agriculture. For further elaboration on the effects of a change in the governing body of the station, see the discussion below concerning a change in the composition of the board (section II. D.).

Jones Trust. If the two stations are merged, the court may find that the Connecticut station ceased to exist as a separate corporate entity. In that case the reversionary clause would be

³ Cy pres is a doctrine of approximation. If a trust cannot be fulfilled because of unforeseen circumstances, a court will fashion a decree to approximate what the testator would have intended. Merchants Bank & Trust Co. v. New Canaan Historical Soc'y, 133 Conn. 706 (1947) and 4 Scott on Trusts §399-400 (3rd Ed. 1967).

triggered and the funds would be administered by Research Corporation rather than the station.

Unlike a merger under the Lockwood Trust, the court would not view the merger as merely a change in the governing body of the station. Not only do the terms of the trust require that the station remain as a separate corporate entity, but the board of control of the station rather than the station itself is the trustee and no provision is made for any other "governing body." (See section II. D. for further discussion.)

Samuel Johnson Trust. Under the terms of the Samuel Johnson Trust, if the two stations are merged, the court may find that the Connecticut station ceased to exist and, therefore, ceased to be trustee. The terms of the Samuel Johnson Trust, unlike the terms of the Lockwood or Jones trusts, do not contain a reversionary clause that is triggered when the station ceases to be trustee. Therefore, the court would have to appoint a successor trustee to use the income for the purposes of scientific research. While the merged station may be appointed as the successor, such an outcome is by no means certain.

If the court viewed the merger as a change in the governing body, the merged station would still be considered the trustee empowered to use the income for the purposes of scientific research. As in the Lockwood Trust, this instrument appears to provide for the contingency of a change in the governing body by authorizing the "board of control or governing body" to use the income for such purposes. (See section II. D. for further discussion.)

Johnson-Osborne Trust. If the two stations are merged, the court will probably apply the doctrine of cy pres and allow the merged station to continue as the beneficiary of the trust provided the "board of control or governing body" continues to use the income to promote biochemistry. This result would be preferred to having the property revert to the heirs of the testator, which would probably be viewed as farther removed from the intent of the testator than use of the funds by the station.

C. Placing station within a department

If the station is placed within the Department of Agriculture or the Department of Environmental Protection, this would be tantamount to a merger of the station with other units of the department. Accordingly, the discussion concerning the effects on the trusts caused by merger (section II. B.) would be applicable.

One caveat should be noted. The term "governing body" appears to require the direction of an entity or a group of

people. In the above discussion concerning merger, the trustees of the University of Connecticut would be the new "governing body" of the merged station. However, if the station is placed within a department, the commissioner of that department, not the department itself or a group of people would have ultimate authority for the direction of the station. An argument may be made and a court may find that the commissioner is not a "governing body" and that the station (as merged with other units of the department under the supervision of the commissioner), ceased to exist and, therefore, ceased to be trustee. The counterargument may be made that the management of the station would still be limited to carrying out the same statutory functions and, therefore, the intent expressed in the trust would still be carried out notwithstanding the management of the station by an individual.

D. Changing the composition of the board

The Lockwood and Samuel Johnson trusts, unlike the Jones Trust, appear to be flexible with respect to changes in the governing body of the station. In the discussion concerning merger, it was pointed out that the trusts, other than the Jones Trust, appear to provide for the contingency of a change in the governing body by authorizing the "board of control or governing body" to use the trust funds to promote specified purposes. It is, therefore, possible that a court would find that a change in the composition of the board did not cause the trustee to cease to exist since such a change is not contrary to the intent expressed in these trusts. The station as trustee would still exist regardless of the new composition of its management. While the argument can be made and the court may find that the station as trustee has ceased to exist because its new management may represent new and different interests, the counterargument may be made that the management of the station would still be limited to carrying out the same statutory functions and, therefore, the intent expressed in the trust would still be carried out notwithstanding a change in the composition of the board.

A change in the composition of the board may, however, have a different impact on the station as trustee under the Jones Trust. That trust makes the board of control of the station the trustee and does not anticipate the possibility of a governing body other than the board. An argument can be made that if the interests represented by an altered board are sufficiently different from the interests represented by the current board, then the board as trustee has ceased to exist. If the station is, therefore, unable to accept the donations, the reversionary clause will be triggered. The court could, however, view such a change as not being contrary to the intent of the trust instrument because the statutory functions remain the same.

If the composition of the board is altered the court would probably allow the station to continue as the beneficiary under the Johnson-Osborne Trust provided the income continued to be used to promote biochemistry in the manner required by the newly constituted board of control. The rationale supporting the continuation of the station as beneficiary is the same as that supporting its continuation as beneficiary in the merger section.

Table I. SUMMARY OF TRUST PROVISIONS AND PROPERTY

Property (FY 1981-82)

Trust	CAES Responsibility	Reversionary Clause	Gross Income	Principal (FMV)
Lockwood (c.1900)	Station as trustee to use net income to promote agriculture by scientific investigation and by disseminating results of research. Promotion to be in manner deemed most practical and generally useful by board of control or governing body.	Trust terminates if station fails to discharge duties, ceases to be trustee or fails to perform conditions of gift. There is an absolute gift over to Yale University to use net income for promotion of agriculture.	\$41,195	\$515,587
Jones (c.1970)	Board of governors as trustee to use funds either as income or principal to promote agriculture by scientific investigation and by disseminating results of research. Promotion to be in manner deemed most practical and generally useful by board of control.	Trust terminates if station fails to administer trust in accordance with conditions, ceases to exist as a separate corporate entity, or is unable to accept donations. There is a gift over to Research Corp. to be used to advance technical and scientific investigation in biology.	\$24,099	\$320,043
Samuel Johnson (c.1920's)	Station as trustee to use income for purposes of scientific research in manner deemed best by board of control or governing body.	None	\$6,391	\$68,353
Johnson-Osborne (c.1973)	Station as beneficiary to use net income to promote biochemistry by scientific investigation and by disseminating results of research. Promotion to be in manner deemed most practical and generally useful by board of control or governing body.	None	\$35,898	\$382,957

Station as trustee holds deeds to Lockwood Farm (50.2 acres) and the Farm of the Valley Lab. (61.5 acres).

APPENDIX E

Honey Bee Inspection Programs In The New England States and New York

State	Bee Registration Requirement	Fee Charged	State Entity Responsible for Inspections	Staff Resources	Annual Budget Expense	Frequency of Inspections	Penalties	No. of Beekeepers
Connecticut	yes; register annually with town clerk in town where bees are located	25¢/town	Conn. Agricultural Experiment Station (state entomologist)	1 part-time inspector (works during season)	\$10,000	Supposed to be annually, but limited personnel leads to inspections every 3-4 years	\$50, but hasn't been used in recent years	2,500 registered, which is estimated to be less than the actual number of beekeepers
Maine	yes; obtain a "license" from the Department of Agriculture	25¢/colony minimum fee: \$2	Dept. of Agriculture	1 full-time inspector recently authorized; previously had part-time inspector	\$17,500	Supposed to be annually, but limited personnel in the past caused them to concentrate on problem hives and those being shipped out of state	\$50, but hasn't been imposed in recent memory	650 licensed, which is estimated to be one-third of the beekeepers in the state
Massachusetts	no	—	Dept. of Agriculture	6-8 temporary apiary inspectors and a chief are employed from May 15 - October 31	\$200/wk. + 20¢/mile per inspector (approx. \$35-50,000)	annually; if a colony is not inspected one year, it is done the following year	have never gone to court with any violators	3,500 (est.)
New Hampshire	yes; register with the state entomologist in the Dept. of Agriculture (new law related to pesticide concerns)	none	—	—	—	used to inspect annually, but funding recently discontinued so only inspecting for out-of-state shipment	\$50, but never imposed	1,500 (est.)

Honey Bee Inspection Programs In The New England States and New York

State	Bee Registration Requirement	Fee Charged	State Entity Responsible for Inspections	Staff Resources	Annual Budget Expense	Frequency of Inspections	Penalties	No. of Beekeepers
Rhode Island	yes; register with the Division of Agriculture	none	Division of Agriculture	1 inspector (free lance-works during season)	\$2,600	supposed to be annually, but last two years only about half were done each year	\$50, but not imposed in past 15 years	324
Vermont	yes; register once with the Dept. of Agriculture--re-register only if circumstances change	none	Department of Agriculture	1 full-time person and 1 person 60 days/year	\$20,800	supposed to be annually, but actually done every other year	\$100 (criminal penalty so rarely invoked)	2,000
New York	voluntary registration program	none	Department of Agriculture	24 inspectors (May to October)	\$150,000	annually within budget limitations	first offense: \$50-200; subsequently: \$400 maximum	8,000

APPENDIX F

Legislative Changes Needed to Implement the Legislative Program Review and Investigations Committee's Recommendations

- Amend C.G.S. Section 22-80 to implement the program review committee's recommendations regarding meeting frequency, quorums, attendance, number of terms and reimbursement for the Connecticut Agricultural Experiment Station Board of Control.
- Amend C.G.S. Section 22-81 to require the Board of Control to develop a formal job specification for the position of director and to develop a written policy on private and federal grants that will encourage applications within established guidelines.
- Place in statute a requirement that all funds available to the Connecticut Agricultural Experiment Station be reported to the legislature annually.
- Repeal C.G.S. Sections 22-86 and 22-87.