Bill as Introduced

SB 470- AS AMENDED BY THE SENATE

2000 SESSION

00-2833
03/09

SENATE BILL ***470***

AN ACT relative to the administrative authority of the board of trustees for the regional community-technical colleges.

SPONSORS: Sen. Johnson, Dist 3; Sen. D'Allesandro, Dist 20; Rep. Turner, Belk 7

COMMITTEE: Education

ANALYSIS

This bill authorizes the board of trustees for New Hampshire's community-technical colleges to exercise the administrative control necessary to ensure that the community-technical colleges achieve their educational mission. The bill also authorizes the board of trustees to appoint and fix the compensation of the presidents of the community-technical institute and colleges, subject to the approval of the executive council.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

00-2833
03/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT relative to the administrative authority of the board of trustees for the regional community-technical colleges.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Board of Trustees; Duties. Amend the introductory paragraph of RSA 188-F:4-a to read as follows:

188-F:4-a. Duties. [~~The duties of the board of trustees shall be to:~~] ***It is the intent of the general court that the trustees, when exercising their responsibilities under this chapter, recognize and foster the unique character and educational mission of the system. To this end, the board of trustees shall be authorized to administratively organize each institution within the New Hampshire community-technical college system so that it meets the educational mission of the system. In addition to this general authority, the trustees are authorized to:***

I. Appoint and fix the compensation of the presidents of the community-technical institute and colleges. Such appointments and salary structure shall be subject to executive council approval.

II. Develop and adopt policy for the department and its institutions.

[~~II.~~] *III.* Oversee the administration of the department and its institutions.

[~~III.~~] *V.* Accept legacies and other gifts to, or for the benefit of, the community-technical college system, or any of its divisions, institutions, or units, and to establish non-profit entities or foundations for the purposes of fund raising and development of assets in reserve.

[~~IV.~~] *V.* Develop a comprehensive strategic plan for the regional community-technical college system, including specific goals and objectives for the department as a whole and for individual institutions.

[~~V.~~] *VI.* Notwithstanding any other provision of law, and with prior approval of the governor and council, lease to private parties portions of lands owned by the regional community-technical college at Berlin for the purposes of construction and operation of residential facilities for students and faculty. Income derived from any such lease is hereby appropriated and shall be deposited in a nonlapsing account at the institution which owns or owned the land. Such income shall be used for maintenance of physical facilities or the acquisition of instructional equipment at such institution and shall not be transferred or diverted to any other state fund.

2 Presidents of the Regional Community-Technical Institute and Colleges. Amend RSA 188-F:8 to read as follows:

188-F:8 Presidents of the Regional Community-Technical Institute and Colleges. The commissioner shall nominate, subject to approval by the board of trustees, a president of each regional institution who shall be confirmed by the governor and council. Presidents shall be qualified by education and experience and shall serve at the pleasure of the board of trustees. ***The board of trustees shall determine the salary for each president, subject to executive council approval.*** The salary of the presidents shall be ***no less than the amount*** established by RSA 94:1-a. ***As chief administrative officers of their respective institutions, the presidents shall be responsible for the general administration and supervision of all aspects of their respective institutions.***

3 Effective Date. This act shall take effect 60 days after its passage.

Amendments

Rep. O'Hearn, Hills. 26
May 9, 2000
2000-4409h
04/01

Amendment to SB 470

Amend the title of the bill by replacing it with the following:

AN ACT relative to the duties of the commission on the status of community-technical education.

Amend the bill by replacing all after the enacting clause with the following:

1 Commission on the Status of Community-Technical Education; Duties Expanded. Amend 1998, 272:37, II to read as follows:

II. The areas of study shall include, but are not limited to:

(a) The classified state employee classification series.

(b) The rights and benefits provided to all faculty and staff of the New Hampshire regional community-technical colleges including wages, insurance, pension, personnel rules, and bargaining rights.

(c) ***The feasibility of allowing the regional community-technical college board of trustees to appoint and fix the compensation of the presidents of the regional community-technical college system.***

(d) Any other area of inquiry that the commission deems relevant or necessary to its main purpose.

2 Effective Date. This act shall take effect upon its passage.

2000-4409h

AMENDED ANALYSIS

This bill expands the duties of the commission on the status of community-technical education established in 1998, 272 to include studying the feasibility of allowing the regional community-technical college board of trustees to appoint and fix the compensation of the presidents of the regional community-technical colleges.

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # SB470 Date 5-2-00

Committee Education

**** Please Print All Information ****

Name	Address	Phone	Representing	(check one) Pro	Con
Scott Westover	Contoocook	271-2795	NHCTCS	✓	

Hearing Minutes

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON SB 470

BILL TITLE: relative to the administrative authority of the board of trustees for the regional community-technical colleges.

DATE: May 2, 2000

LOB ROOM: 207 **Time Public Hearing Called to Order:** 10:05 a.m.

Time Adjourned: 11:55 a.m.

(please circle if present)

Committee Members: Reps. O'Hearn, Durham, Searles, Dearborn, Henderson, Larrabee, Weber, Hoadley, Flint, McKinley, P. Davis, Alger, Cox, Ward, Sullivan, Guest, Riley, Yeaton, Snyder, C. Jean, A. Pelletier, Estabrook and J. White.

Bill Sponsors: Sens. Johnson and D'Allesandro and Rep. Turner

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

*SEN. CARL JOHNSON (Sponsor): I support this bill. My amendment adds the governor and council. He had written testimony.

REP. CLAIR SNYDER: Could the Board of Trustees make change back to a president at each college?

SEN. JOHNSON: Yes

SEN. LOU D'ALLESANDRO (Co-sponsor): I support this bill. I chair the commission, which is looking at the community-technical college system. The commission agrees with this bill. It gives the Board of Trustees flexibility to fill positions in response to local needs. It is a capable 23-person board and is enthusiastic to fulfill their mission.

REP. DAVID LARRABEE: The changes will cost money. How will you find it?

SEN. D'ALLESANDRO: This bill doesn't require any new dollars. Any new cost will be in operating budgets. This is a piece to more reform along the path.

REP. WILLIAM RILEY: How will the pay scales be arrived at?

SEN. D'ALLESANDRO: I'm not sure if salaries can go beyond the alphabet system. There is a study of that pay scale; the alphabet and the system going now.

REP. JOHN ALGER: How is organizing structure done now?

SEN. D'ALLESANDRO: Because of financial reasons, the then Commissioner reorganized. It was a bad move. The system has suffered since then. This would allow the new Board the flexibility to make needed changes.

CHAIRMAN JANE O'HEARN: What is the lifetime of the oversight commission?

SEN. D'ALLESANDRO: It is over at the end of this session. It was the proper timing of transition. The Board can run things now.

REP. ROBERT TURNER: I served in the Tech College System for 30 years and I am a current member of the oversight commission. This is a necessary move; the pay is not sufficient. Having the Governor and Council approval will ensure that salaries will not get to be outlandish. Teachers in specialty areas can get much higher pay in the industry. I hope you look favorably on this bill.

REP. P. JUDITH SULLIVAN: Is there a clear written-down job description of the President?

REP. TURNER: Yes. We can get you a copy.

REP. LARRABEE: Do you think each college should have a president?

REP. TURNER: Yes. The president has to get out there and get to know the needs of the community.

MR. GLENN DUBOIS (Commissioner - NHCTCS): I support this bill. The goal is to double the number of graduates within ten years. The new board has been meeting every month to implement the vision statement, which is to be responsive to un-met needs. This bill gives the board the authority to address organizational structure. There are no hidden agendas. Just yesterday, we heard on the phone that all colleges are candidates for accreditations by the Higher Education Accrediting Board, which accredits UNH, etc. The Commissioner's position in not in the bill. My salary is $90,000. We have made a commitment to not raise tuitions to increase the presidents' salaries. We were advised by the Legislative Services to put in the wording on page 3, line 6. When this bill came up, late in the season, it provoked some claims by the SEA leadership. I'm confident that I eliminated their concerns. This bill clearly articulates authority. This is an attempt to clearly establish authority in two areas.

REP. RUSSELL COX: How many presidents would be authorized?

MR. DUBOIS: There is no hidden plan here. The idea is to give flexibility.

REP. COX: What kind of re-organization?

MR. DUBOIS: In my mind, a president should be out in the community learning their needs, etc. so there needs to be a full-time person running the college.

REP. CLAUDETTE JEAN: Would it be more helpful to have a full time president at each college?

MR. DUBOIS: In a perfect world, it would be desirable, but we have a budget limitation.

REP. LARRABEE: How will this affect the local campus budget control?

MR. DUBOIS: We are the only agency that gets to keep lapse funds, which go back to campus. I will hold them more accountable if the results are more flexible in means.

REP. JOHN WHITE: Your goal is to double the number of graduates. Will this require more instructors?

MR. DUBOIS: We will develop a plan for capitol improvements over the next 10 years. It will be my job to convince the Governor of the need for a strategic plan for growth. Then, as we grow, we will have the resources to hire faculty.

CHAIRMAN O'HEARN: Are you targeting the southern tier?

MR. DUBOIS: We're targeting all areas, but some areas will be more and some less than double. Manchester currently has 1100 FTE and could go to 2000+ easily. The key is to transform our image.

MS. CLAUDETTE MAHAR (Board Chair, NHCTCS Trustees): I support this bill.

REP. RILEY: Have you other fund-raisers?

MR. DUBOIS: We've just barely established a foundation. We have the federal 501 C3 number and are beginning to establish an alumni organization.

REP. RILEY: Are you aware of the fact that many areas employ a person to raise funds?

MR. DUBOIS: We realize we haven't done much to contacting alumni until recently. We don't have a specific person doing it.

REP. COX: I'm still a little vague about where the appointing of authority now rests.

MR. DUBOIS: It is now with the board and governors council, but we're looking for flexibility.

REP. WARREN HENDERSON: Who now sets the salaries for presidents?

MR. SCOTT WESTOVER (NHCTCS Public Relations Director): No pink card.... The Division of Personnel sets the salary according to letter grade.

REP. HENDERSON: Have changes been rejected before?

MR. WESTOVER: We haven't asked for changes before. We are convinced that the current system is not working. We can't attract people within the current pay ranges.

REP. HENDERSON: How do other agencies deal with this issue?

MR. WESTOVER: There have been waivers by other departments. We have people who won't even interview with us because of salary.

REP. JEAN: Do you feel the Board of Trustees has more flexibility than the old Board of Governors?

MR. WESTOVER: The old board had only eight members. This new board has greater diversity and the people are looking to improve the system.

REP. SULLIVAN: Do colleges get any federal money?

MR. WESTOVER: They get $5 million annually, either for specific purposes or general purposes.

REP. ALGER: Do you see the issue we face of giving over control of salaries to an appointed board rather than the legislature?

MR. WESTOVER: I can't speak to that, but I can say that organization and salaries go hand in hand.

REP. SNYDER: How will you show where new revenue pays for new presidents' salaries?

MR. WESTOVER: Our contention is that the growth in student body will pay for the raise.

MR. JOHN VANCE(Advisory Commission Member): I support this bill. The growth in graduates is needed to meet the compelling need of economy in New Hampshire. This bill gives the blue ribbon to the Board of Trustees to have discretion to deviate from statutory salaries and to recommend to the Governor and the Council. There are many more things needed by the system in the years to come.

MR. PHILIP ELLER(SEA-NHCTC): Because of the lateness of this bill, most people haven't heard about this legislation. Many people feel the need for change. I have a concern for the process. This legislation is out before the Commission report, which would be about a long-term deliberative process.

REP. HENDERSON: Does state law give equivalent authority to other agencies?

MR. ELLER: I really don't know. There is a need to look at education in a different light.

Chairman O'Hearn then passed out amendment #4279h to the committee.

Respectfully submitted,
Susan B. Durham

Rep. Susan B. Durham, Acting Clerk

Testimony

TESTIMONY OF SENATOR CARL JOHNSON BEFORE THE HOUSE EDUCATION COMMITTEE ON SB 470, RELATIVE TO THE ADMINISTRATIVE AUTHORITY OF THE BOARD OF TRUSTEES FOR THE REGIONAL COMMUNITY-TECHNICAL COLLEGES
MAY 2, 2000

Senate Bill 470 authorizes the Board of Trustees of the NH Community-Technical College System to administratively organize each institution within the system in keeping with the mission of the system. It also allows the Board of Trustees to appoint and fix the compensation of the Presidents of the Colleges, subject to the approval of the Governor and Council. The passage of SB 503 in 1998 was the first step in giving the system some additional flexibility to assist in the operation of the colleges. Senate Bill 470 represents the next step in the progression of our community-technical colleges. Allowing the Board of Trustees to have this additional authority and flexibility will enable the Board to focus on the mission of the system and make the changes necessary to meet that mission. The Commission on the Status of Community-Technical Education discussed this bill at its last meeting and the bill had the support of the overwhelming majority of that Commission.

Voting Sheets

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on SB 470

BILL TITLE: **relative to the administrative authority of the board of trustees for the regional community-technical colleges.**

DATE: May 9, 2000

LOB ROOM: 207

Amendments:

Sponsor: Rep. Jane O'Hearn — OLS Document #: 4409h — Adopted

Sponsor: Rep. — OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)
ON AMENDMENT #4409h

Moved by Rep. Warren Henderson

Seconded by Rep. Robert McKinley

Vote: 11-1 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)
SB 470 WITH AMENDMENT #4409h

Moved by Rep. Warren Henderson

Seconded by Rep. David Larrabee

Vote: 12-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Yes

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Susan B Durham

Rep. Susan B. Durham, Acting Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on SB 470

BILL TITLE: **relative to the administrative authority of the board of trustees for the regional community-technical colleges.**

DATE: May 9, 2000

LOB ROOM: 207

Amendments:

Sponsor: Rep. O'Hearn — OLS Document #: 4409h

Sponsor: Rep. — OLS Document #:

Sponsor: Rep. — OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Henderson

Seconded by Rep. McKinley

Vote: 11-1 (Please attach record of roll call vote.)

Motions: OTP, (OTP/A), ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Henderson

Seconded by Rep. Larrabee

Vote: 12-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: }

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Susan B Durham

Rep. ~~Bruce L. Dearborn~~, Clerk
Susan B Durham, acting

EDUCATION

Bill #: SB 470 Title: relative to the admin authority

PH Date: ___/___/___ Exec Session Date: 5/9/2008

Motion: OTP Amendment #: 4409h

MEMBER	YEAS	NAYS
O'Hearn, Jane E, Chairman	✓	
Durham, Susan B, V Chairman	✓	
Searles, Stanley N	A	
Dearborn, Bruce L, Clerk	A	
Henderson, Warren C	✓	
Larrabee, David E	✓	
Weber, Phil A	✓	
Hoadley, Elizabeth K	A	
Flint, Gordon B	✓	
McKinley, Robert E	✓	
Davis, Perley E	✓	
Alger, John R M	✓	
Cox, Russell N	✓	
Ward, Brien L		✓
Sullivan, P Judith	A	
Guest, Robert H	A	
Riley, William A	A	
Yeaton, Charles B	A	
Snyder, Clair A	A	
Jean, Claudette R	A	
Pelletier, Arthur J	A	
Estabrook, Iris W	A	
White, John M	✓	
	11	1

TOTAL VOTE:

Printed: 12/30/1999

EDUCATION

Bill #: SB 470 **Title:** relative to Admin. authority

PH Date: ___/___/___ **Exec Session Date:** 5/9/2000

Motion: OTP-A **Amendment #:**

MEMBER	YEAS	NAYS
O'Hearn, Jane E, Chairman	✓	
Durham, Susan B, V Chairman	✓	
Searles, Stanley N	A	
Dearborn, Bruce L, Clerk	A	
Henderson, Warren C	✓	
Larrabee, David E	✓	
Weber, Phil A	✓	
Hoadley, Elizabeth K	A	
Flint, Gordon B	✓	
McKinley, Robert E	✓	
Davis, Perley E	✓	
Alger, John R M	✓	
Cox, Russell N	✓	
Ward, Brien L	✓	
Sullivan, P Judith	A	
Guest, Robert H	A	
Riley, William A	A	
Yeaton, Charles B	A	
Snyder, Clair A	A	
Jean, Claudette R	A	
Pelletier, Arthur J	A	
Estabrook, Iris W	A	
White, John M	✓	
	12	0

TOTAL VOTE:

Printed: 12/30/1999

Committee Report

COMMITTEE REPORT

COMMITTEE: **Education**

BILL NUMBER: **SB 470**

TITLE: relative to the administrative authority of the board of trustees for the regional community-technical colleges.

DATE: May 9, 2000 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

As amended, SB 470 directs the Commission on the status of community-technical education to examine the feasibility of allowing the regional community-technical college board of trustees to appoint and fix the compensation of the college presidents, as part of their existing study. That report is due by November 1, 2000. The committee supports the goals and the work of the community-technical college system and believes that this measure will assure that the subject of compensation for the community-technical college presidents is addressed within the context of other issues related to the system.

Vote 12-0.

Rep. Warren C. Henderson
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Education

SB 470, relative to the administrative authority of the board of trustees for the regional community-technical colleges. OUGHT TO PASS WITH AMENDMENT

Rep. Warren C. Henderson for Education: As amended, SB 470 directs the Commission on the status of community-technical education to examine the feasibility of allowing the regional community-technical college board of trustees to appoint and fix the compensation of the college presidents, as part of their existing study. That report is due by November 1, 2000. The committee supports the goals and the work of the community-technical college system and believes that this measure will assure that the subject of compensation for the community-technical college presidents is addressed within the context of other issues related to the system.

Vote 12-0.

COMMITTEE REPORT

COMMITTEE: **Education**

BILL NUMBER: **SB 470**

TITLE: relative to the administrative authority of the board of trustees for the regional community-technical colleges.

DATE: May 9, 2000 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

AS AMENDED, SB 470 DIRECTS THE COMMISSION ON THE STATUS OF COMMUNITY-TECHNICAL EDUCATION TO EXAMINE THE FEASIBILITY OF ALLOWING THE REGIONAL COMMUNITY-TECHNICAL COLLEGE BOARD OF TRUSTEES TO APPOINT AND FIX THE COMPENSATION OF THE 1 PRESIDENTS AS PART OF THEIR EXISTING STUDY. THAT REPORT IS DUE BY NOVEMBER 1, 2000.

Vote 12-0

THE COMMITTEE SUPPORTS THE GOALS AND THE WORK OF THE COMMUNITY-TECHNICAL COLLEGE SYSTEM AND BELIEVES THAT THIS MEASURE WILL ASSURE THAT THE SUBJECT OF COMPENSATION FOR COMMUNITY-TECHNICAL COLLEGE PRESIDENTS IS ADDRESSED WITHIN THE CONTEXT OF OTHER ISSUES RELATED TO THE SYSTEM.

Rep. FOR THE COMMITTEE

L. JARRELL HENDERSON

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT