

Legislative History for Connecticut Act

HB 5511 P.A. 97 1994

Sen: 1430-1434, 1447-1448 (7)

Use: 1247-1248, 2340-2354,
3786, 4664-4668 (23)

Education: 264-269, 360-367 (14)

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SENATE

PROCEEDINGS
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TUESDAY
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THE CHAIR:

Thank you very much, Senator Przybysz. Would anybody else wish to remark on Senate Calendar 329? Are there any further remarks? If not then, Senator Przybysz, would you like to make a motion to place this item on the Consent Calendar?

SENATOR PRZYBYSZ:

So moved, Madam President.

THE CHAIR:

Thank you very much. Is there any objection to placing Senate Calendar 329, Substitute for House Bill 5135, on the Consent Calendar? Is there any objection? Any objection? Hearing none, so ordered.

THE CLERK:

Calendar Page 18, Calendar No. 335, File No. 217 and 517, Substitute for House Bill 5511, AN ACT CONCERNING THE BOARDS OF TRUSTEES OF THE CONSTITUENT OF THE STATE SYSTEM OF HIGHER EDUCATION, as amended by House Amendment Schedules "A" and "B".

Favorable Report of the Committee on Government Administration and Elections.

The Clerk is in possession of one amendment.

THE CHAIR:

Gracious. Thank you very much, Mr. Clerk. The Chair would recognize Senator Sullivan.

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SENATOR SULLIVAN:

Thank you very much, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill as amended by the House. I would also ask that the Clerk please call LCO5902.

THE CHAIR:

Thank you very much, Senator. Mr. Clerk.

THE CLERK:

LCO5902, which will be designated Senate Amendment Schedule "A". It's offered by Senator Sullivan of the 5th District.

THE CHAIR:

Thank you very much. Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President. The amendment -- I move adoption of the amendment and request permission to summarize.

THE CHAIR:

Please proceed, Senator.

SENATOR SULLIVAN:

Thank you. The amendment goes to the heart of the bill and essentially corrects the technical error in the drafting below in the House. What we are trying to do here, and I think it's important is assure that on the Boards of Trustees of our two university systems,

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the University of Connecticut and the Connecticut state university system, there will be over time the opportunity for greater representation of alumni, alumni who know those institutions, who are committed to those institutions and I think who bring a special point of view to those boards.

That is not to say that the great individuals who now serve in those capacities who may not be alumni do not do a good job. They clearly do. I think it is just assure that in the future there will be stronger representation from this one sector of the university community.

THE CHAIR:

Thank you very much, Senator Sullivan. Would anybody else wish to remark on Senate Amendment "A", LCO No. 5902? Are there any further remarks? Any further remarks? If not then, please let me know your mind. All those in favor of LCO No. 5902, designated by the Clerk as Senate Amendment "A", please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Those opposed.

The ayes have it.

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The amendment is adopted.

Mr. Clerk, do you have any further amendments?

THE CLERK:

No further amendments, Madam President.

SENATOR SULLIVAN:

Thank you, Madam President.

THE CHAIR:

Senator Sullivan, you have before you Senate Bill
-- Substitute for House Bill 5511, as amended by House
"A" and "B" and Senate "A".

SENATOR SULLIVAN:

Thank you. One other remark and then I hope we can
move this to the Consent Calendar, and that is that
also in this bill I think is an important process
change and that is that we will in the future, working
with the governor, as we have with the current
governor, had an opportunity to review and pass on
those who will serve in the principal policymaking
positions in higher education in the state. If there
is no objection, I would move this bill to the Consent
Calendar.

THE CHAIR:

Thank you very much, Senator Sullivan. Would
anybody else wish to remark on Senate Calendar 335,
Substitute for House Bill No. 5511, as amended? Are

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there any further remarks? If not, is there any objection to placing Senate Calendar 335, Substitute for House Bill 5511, as amended by House "A" and "B" and Senate Amendment "A", LCO No. 5902, on the Consent Calendar? Is there any objection? Any objection?
Hearing none, so ordered.

THE CLERK:

Calendar Page 19, Calendar No. 344, File No. 539,
Substitute for Senate Bill No. 53, AN ACT CONCERNING SOCIAL WORKER RECERTIFICATION.

Favorable Report of the Committee on Appropriations.

THE CHAIR:

Thank you very much. The Chair would recognize Senator Przybysz.

SENATOR PRZYBYSZ:

Thank you, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Thank you very much, Senator. Do you wish to remark further?

SENATOR PRZYBYSZ:

Thank you. This bill gives the Department of Public Health and Addiction Services the responsibility

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No. 23. Calendar No. 402, House Joint Resolution

91. Calendar 403, House Joint Resolution No. 92.

Calendar Page 3, Calendar 404, House Joint
Resolution No. 90. Calendar 166, House Bill 5380.

Calendar Page 6, Calendar No. 247, Substitute for House
Bill 5401. Calendar 248, House Bill No. 5449.

Calendar 250, House Bill 5586.

Calendar Page 7, Calendar No. 262, Substitute for
House Bill 5203. Calendar Page 9, Calendar No. 277,
Substitute for House Bill 5356.

Calendar Page 10, Calendar 282, Substitute for
House Bill 5701.

Calendar Page 11, Calendar No. 294, Substitute for
House Bill 5373.

Calendar Page 13, Calendar 309, Substitute for
Senate Bill 277.

Calendar Page 15, Calendar No. 322, Substitute for
Senate Bill 378.

Calendar Page 17, Calendar No. 329, Substitute for
House Bill 5139 -- correction -- 5135.

Calendar Page 18, Calendar No. 335, Substitute for
House Bill 5511.

Calendar Page 19, Calendar 344, Substitute for
Senate Bill 53.

Calendar Page 21, Calendar No. 352, Substitute for

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Senate Bill No. 290.

Madam President, I believe that -- Calendar Page 31, Calendar No. 137, Substitute for Senate Bill 159. Madam President, that completes the first Consent Calendar.

THE CHAIR:

Thank you very much, Mr. Clerk. You've heard the items that have been placed on Consent Calendar No. 1 for today, Wednesday, April 26th. The machine is on. You may record your vote.

Senator Meotti. Senator Fleming. Senator Balducci. Senator Gunther. Senator Jepsen. Is Senator Jepsen here? Is Senator Jepsen here?

Have all Senators voted? Have all Senators voted and are your votes properly recorded? Have all Senators voted and are your votes properly recorded? The machine is closed.

The result of the vote:

36	Yea
0	Nay
0	Absent

The Consent Calendar is adopted.

Senator DiBella.

SENATOR DIBELLA:

Thank you, Madam President. Would the -- I'd move

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Tuesday, April 12, 1994

Page 6, Calendar 225, Substitute for House Bill Number 5753, AN ACT CONCERNING CANCELLATION OF RESERVATION OF NAME OF CORPORATION, LIMITED PARTNERSHIP OR LIMITED LIABILITY COMPANY. Favorable report of the Committee on Judiciary.

SPEAKER RITTER:

Representative Schiessl.

REP. SCHIESSL: (60TH)

Thank you, Mr. Speaker. I move that this item be referred to the Joint Committee on Finance, Revenue and Bonding.

SPEAKER RITTER:

Without objection, so ordered. Clerk, please call Calendar 229.

CLERK:

At the bottom of Page 6, Calendar 229, Substitute for House Bill Number 5511, AN ACT CONCERNING THE BOARDS OF TRUSTEES OF THE CONSTITUENT UNITS OF THE STATE SYSTEM OF HIGHER EDUCATION. Favorable report of the Committee on Education.

SPEAKER RITTER:

Representative Schiessl.

REP. SCHIESSL: (60TH)

Thank you, Mr. Speaker. I move that this item be referred to the Joint Committee on Governmental

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Tuesday, April 12, 1994

Administrations and Elections.

SPEAKER RITTER:

Without objection, so ordered. Clerk, please
continue with Calendar 231.

CLERK:

On page 7, Calendar 231, Substitute for House Bill
Number 5814, AN ACT CONCERNING OVERSIGHT OF MEDICAID
MANAGEMENT CARE. Favorable report of the committee on
Human Services.

SPEAKER RITTER:

Representative Schiessl.

REP. SCHIESSL: (60TH)

Thank you, Mr. Speaker. I move that this item be
referred to the Joint Committee on Public Health.

SPEAKER RITTER:

Without objection, so ordered. Clerk, please
continue the call of the Calendar with 233.

CLERK:

On page 7, Calendar 233, Substitute for House Bill
Number 5698, AN ACT CONCERNING MUNICIPAL ENTERTAINMENT
DISTRICTS. Favorable report of the committee on
Planning and Development.

SPEAKER RITTER:

Representative Schiessl.

REP. SCHIESSL: (60TH)

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House of Representatives

Tuesday, April 19, 1994

REP. WYMAN: (53rd)

Thank you. The Education Committee will be meeting outside the Hall of the House ten minutes before session tomorrow. Thank you very much.

ACTING SPEAKER REP. TULISANO: (29th)

Thank you. Are there any further announcements or Points of Personal Privilege? Please continue.

DEPUTY SPEAKER LYONS:

Representative Tulisano, the Chamber would like to thank you for your time on the dais. He began to look so comfortable and natural here, I was afraid any minute we were going to have a coup in the Chamber and we were going to have a takeover.

APPLAUSE

Once again, Representative Tulisano, thank you very much. We were honored to have your presence on the dais and you've added much substance to the debate in this Chamber.

Would the Clerk please return to the Call of the Calendar.

CLERK:

Page 25, top of the page, Calendar 229, Substitute for House Bill 5511, AN ACT CONCERNING THE BOARDS OF TRUSTEES OF THE CONSTITUENT UNITS OF THE STATE SYSTEM OF HIGHER EDUCATION.

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Favorable Report of the Committee on GAE.

DEPUTY SPEAKER LYONS:

Representative Merrill.

REP. MERRILL: (54th)

Thank you, Madam Speaker. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER LYONS:

The question before the Chamber is acceptance and passage. Will you remark?

REP. MERRILL: (54th)

Yes, the Clerk should have LCO No. 2068.

DEPUTY SPEAKER LYONS:

The Clerk has in his possession LCO2068. Would the Clerk please call and the representative has asked leave to summarize.

CLERK:

LCO2068, House "A", offered by Representative Wyman.

DEPUTY SPEAKER LYONS:

Hearing no objection to summarization, please proceed.

REP. MERRILL: (54th)

Yes, thank you. This bill would gradually increase the required number of alumni on the Connecticut State

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University Board of Trustees and UConn's Board of Trustee to just under one-third of each board. It would also ask that the appointees of the governor be confirmed by the General Assembly.

LCO No. 2068 is merely technical and I would move passage.

DEPUTY SPEAKER LYONS:

Thank you. The question before the Chamber is on adoption. Will you remark? Will you remark? If not, let me try your minds. This is on the amendment. All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER LYONS:

Those opposed nay.

The ayes have it.

The amendment is adopted.

REP. MERRILL: (54th)

Thank you.

DEPUTY SPEAKER LYONS:

Will you remark further on the bill?

REP. MERRILL: (54th)

Thank you, Madam Speaker. The Clerk should also have LCO No. 2805.

DEPUTY SPEAKER LYONS:

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The Clerk has in his possession LCO2805, which will be designated House "B". Will the Clerk please call and read.

CLERK:

LCO2805, House "B", offered by Representative Wyman.

In line 29, strike "TWO" and insert "ONE" in lieu thereof.

In line 31, strike "ONE" and insert "TWO" in lieu thereof.

LAUGHTER

DEPUTY SPEAKER LYONS:

Well done, sir. Representative Merrill.

REP. MERRILL: (54th)

Thank you. Permission to summarize the amendment. I move for adoption of the amendment.

DEPUTY SPEAKER LYONS:

The question before the Chamber is on adoption. Will you remark?

REP. MERRILL: (54th)

Yes, thank you. This is, again, a technical amendment to simply keep in order the number of trustees that would be elected in the next session. It's just a way of phasing in that would make it consistent with the way they are elected, just for CSU

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Board, not for UConn.

DEPUTY SPEAKER LYONS:

Thank you, madam. Will you remark further on Amendment "B"? Will you remark? If not, let me try your minds. All those in favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER LYONS:

Those opposed nay.

The ayes have it.

The amendment is adopted and ruled technical.

REP. MERRILL: (54th)

Thank you.

DEPUTY SPEAKER LYONS:

Will you remark further on the bill that is before us? Representative Ward.

REP. WARD: (86th)

Thank you, Madam Speaker. Madam Speaker, I'm supportive of the bill or at least the main intention and the main part of the bill. I just have one question, through you, based on the amendment to Representative Merrill.

DEPUTY SPEAKER LYONS:

Please frame your question, sir.

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REP. WARD: (86th)

Through you, Madam Speaker, Representative Merrill, by adding the requirement that the bill is effective upon passage, which I believe was in House "A", will that affect the status of anyone who is currently a member of the Board of Trustees?

DEPUTY SPEAKER LYONS:

Representative Merrill.

REP. MERRILL: (54th)

Through you, Madam Speaker, no, it would not. It is simply a way to make it consistent with the July 1 date of when people are elected. It will not affect anyone currently on the board.

DEPUTY SPEAKER LYONS:

Representative Ward.

REP. WARD: (86th)

Thank you, Madam Speaker, and just one more question. The original bill, as I recall it, in the Education Committee, which I thought made a lot of sense, did require these extra alumni representatives. There's another section of the bill now, Section 3, which requires that any of the appointments go through our Legislative Nominations Committee, and through you, Madam Speaker, am I correct that that section was not in the original proposal from Representative Merrill?

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DEPUTY SPEAKER LYONS:

Representative Merrill.

REP. MERRILL: (54th)

Yes, through you, Madam Speaker, yes, it is true that it was not in the original bill. It was added later.

DEPUTY SPEAKER LYONS:

Representative Ward.

REP. WARD: (86th)

Thank you, Madam Speaker. I do think the original bill is good. I don't think there's a need to send through our review process at Legislative Nominations all appointees to every Board of Trustees, particularly when we're designating them as alumni trustees in some instances, and for that reason, I would ask the Clerk to please call an amendment, which is LCO2943, and please read the amendment.

DEPUTY SPEAKER LYONS:

The Clerk has in his possession LCO2943, which will be designated House "C". Will the Clerk please call and read.

CLERK:

LCO2943, House "C", offered by Representative Ward, et al.

DEPUTY SPEAKER LYONS:

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Representative Ward.

REP. WARD: (86th)

Thank you, Madam Speaker. Madam Speaker, what this amendment does --. First, I'm sorry. I move adoption of the amendment.

DEPUTY SPEAKER LYONS:

The question before the Chamber is on adoption. Will you remark, sir?

REP. WARD: (86th)

Thank you, Madam Speaker. Yes, what this amendment does is delete Section 3 of the bill. Effectively, it leaves the main intent of the bill place and it does not add a new requirement, however, that the governor's appointments have to come back through our Legislative Nominations Committee.

I asked around, I wasn't aware of anybody having a concern that in the past, inappropriate people have been put on the Board of Trustees of the various institutions or some big problem. I suspect what will happen is we will have unanimous votes on all of these people as they come through regardless of who the governor is and I don't think we need to clutter our Calendar with these.

I urge the Chamber to adopt this amendment.

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Thank you, sir. Will you remark on the amendment that is before us? Representative Merrill.

REP. MERRILL: (54th)

Yes, thank you, Madam Speaker. I rise to oppose the amendment. I think the constitutional guarantees of separation of powers are pretty well established and it seems as if we do confirm virtually every board or commission that has anything to do with education. There was sort of a reorganization several years ago and I suspect this was almost kind of overlooked in the process, so I would just argue that this brings it into consistency with the other boards and commissions and certainly shouldn't pose much of a bureaucratic obstacle. Thank you, Madam Speaker.

DEPUTY SPEAKER LYONS:

Thank you, madam. Will you remark further on the amendment that is before us? Representative Ward.

REP. WARD: (86th)

Madam Speaker, I just want to indicate, I don't think it touches upon a separation of powers issue or is a great constitutional moment to indicate that we think the governor can designate the members of the Board of Trustees. After all, I believe some of them are even elected by alumni themselves. We don't say that who they elect has to come back through this body.

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I think it's completely appropriate to delegate some authority in some instance to the chief executive. I don't see our constitutional separation of powers being put in great jeopardy. I don't know whether there was an oversight in the reorganization. That's the first I've heard of it. Certainly the reorganization was more than several years ago and nobody has been clamoring for this in that period.

It strikes me that it's perhaps more somebody maybe upstairs put this in because they want a little more control over what a governor does and I'm not sure that we ought to have people overreaching that power in that way. Thank you, Madam Speaker.

DEPUTY SPEAKER LYONS:

Thank you, sir. Will you remark further on the amendment that is before us?

REP. FLAHERTY: (68th)

Madam Speaker.

DEPUTY SPEAKER LYONS:

Yes, Representative Flaherty.

REP. FLAHERTY: (68th)

Thank you, Madam Speaker. Madam Speaker, I rise in support of the amendment, and as a member of both the Education and the Executive and Legislative Nominations Committee, I point out that we do have the members of

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the Board of Governors for Higher Education come through the Executive and Legislative Nominations process. I believe that is sufficient, Madam Speaker, and for many of the reasons Representative Ward stated.

I think the bill itself is a good bill, but I just don't think this is really necessary that every member of every constituent unit or constituent Board of Trustees has to come through this process. It seems a little cumbersome and I would agree that any time the political process in this building interferes with the Boards of Trustees in these institutions, it tends to be in for the wrong reasons and I don't think we need that influence. We do the Board of Governors for Higher Ed, that's enough, and certainly in education we do the State Board of Education. I think that's pretty sufficient for legislative oversight, and again, I'm not aware that this has really been a problem before. So I'd urge the Chamber to support the amendment.

Thank you, Madam Speaker.

DEPUTY SPEAKER LYONS:

Thank you, sir. Representative Farr.

REP. FARR: (19th)

Thank you, Madam Speaker. Speaking on behalf of the amendment, I think the important thing to note here is that the more people that the legislature has to

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confirm, the less time we're going to be spending, examining the qualifications and credentials of each of those individuals.

So what we're doing here is in effect watering down the attention that we're going to be spending to other important appointees and I think right now the legislature looks closely at the appointees to the Board of Governors, but when you add all these other boards in there, that's just less time that we have to look at those appointees and I think those appointees are far more important than the boards of each of the individuals institutions and I would urge passage of the amendment. Thank you.

DEPUTY SPEAKER LYONS:

Thank you, sir. Will you remark? Representative Merrill.

REP. MERRILL: (54th)

Yes, thank you, Madam Speaker. I would only respond that I think that the Board of Trustees are very important boards, making very far reaching decisions for very large institutions and I would argue also that the small amount of additional time we might take in passing and confirming these nominees represents a very small incremental accountability to the governor and I don't think it jeopardizes anything

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that we would want to do and I would argue that it's also a good thing for us to be confirming our nominees.

When we did research on this and into what other states do, it's a very common request for other states, for their Boards of Trustees on major universities and institutions.

REP. FARR: (19th)

Madam Speaker.

DEPUTY SPEAKER LYONS:

Thank you, madam. Representative Flaherty.

REP. FLAHERTY: (68th)

Madam Speaker, I too rise to oppose the amendment. I must respectfully disagree with my colleague who said that any time anyone in this institution interferes with Boards of Trustees, it's inappropriate. I myself have received many concerns directed at me by my constituents regarding the functioning of our state universities and I believe that our state universities, which are spending a great deal of public funds and are expending monies that we appropriate in this body, I think that perhaps it's symbolic to go through the confirmation process, but I think it's important symbol that these are servants of the public-at-large, not the creatures of one particular governor and I think that the accountability that this provision in the proposed

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bill would enact, would be an important reform.
Therefore, I urge that the amendment be rejected.
Thank you, Madam Speaker.

DEPUTY SPEAKER LYONS:

Thank you, Representative Flaherty. Will you
remark further on the amendment that is before us?
Will you remark? If not, let me try your minds. All
those in favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER LYONS:

All those opposed nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER LYONS:

The amendment fails.

Will you remark on the bill that is before us?
Will you remark? Will you remark further on the bill
that is before us? If not, will staff and guests
please come to the well. Will members take their
seats. The machine will be opened.

CLERK:

The House of Representatives is voting by roll
call. Members to the Chamber please. Members please
report to the Chamber. The House is taking a roll call

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vote.

REPRESENTATIVES WHISTLING

DEPUTY SPEAKER LYONS:

Have all the members voted and would the members please check the machine to make sure your votes are properly recorded? If all the members have voted, the machine will be locked and the Clerk will take a tally.

The Clerk will please announce the tally.

CLERK:

House Bill 5511, as amended by House Amendment Schedules "A" and "B".

Total Number Voting	146
Necessary for Passage	74
Those voting Yea	146
Those voting Nay	0
Those absent and not Voting	5

DEPUTY SPEAKER LYONS:

The bill as amended passes.

The Clerk will please return to the Call of the Calendar.

CLERK:

Calendar 262, on Page 26, Substitute for House Bill 5107, AN ACT REQUIRING PAYMENT OF A FEE BY A CREDITOR FOR CONSIDERATION BY THE PROBATE COURT OF A REJECTED CLAIM AGAINST A DECEDENT'S ESTATE.

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House of Representatives

Monday, April 25, 1994

CLERK:

Calendar 249, Substitute for House Bill No. 5512,
AN ACT CONCERNING MANAGED CARE.

Favorable Report of the Committee on
Appropriations.

DEPUTY SPEAKER LYONS:

Representative Dillon.

REP. DILLON: (92nd)

I move that this item be referred to the Committee
on Insurance and Real Estate.

DEPUTY SPEAKER LYONS:

Hearing no objection, so ordered.

REP. DILLON: (92nd)

Calendar 260.

CLERK:

Calendar 260, House Bill No. 5170, AN ACT
CLARIFYING CERTAIN RESPONSIBILITIES OF THE DEPARTMENT
OF ADMINISTRATIVE SERVICES.

Favorable Report of the Committee on
Appropriations.

DEPUTY SPEAKER LYONS:

Representative Dillon.

REP. DILLON: (92nd)

I move that this item be referred to the Labor
Committee.

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House of Representatives

Wednesday, April 27, 1994

ordered.

DEPUTY SPEAKER LYONS:

Will the Clerk please return to the Call of the Calendar, Calendar 229?

CLERK:

Calendar 229 on Page 22, Substitute for House Bill 5511, AN ACT CONCERNING THE BOARDS OF TRUSTEES OF THE CONSTITUENT UNITS OF THE STATE SYSTEM OF HIGHER EDUCATION, as amended by House Amendments "A" and "B". Not recorded in the Calendar, but important to note is that it's also amended by Senate Amendments "A" and "B".

DEPUTY SPEAKER LYONS:

Representative Merrill.

REP. MERRILL: (54th)

Thank you, Madam Speaker. I move acceptance of the Joint Committee's Favorable Report and passage of the bill, in concurrence with the Senate.

DEPUTY SPEAKER LYONS:

The question before the Chamber is on acceptance and passage. Will you remark?

REP. MERRILL: (54th)

Yes, thank you. I would like to have the Clerk, the Clerk has LCO No. 5902. Would he please call, and may I be allowed to summarize?

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House of Representatives

Wednesday, April 27, 1994

DEPUTY SPEAKER LYONS:

The Clerk has in his possession LCO5902, previously designated Senate "A". Would the Clerk please call and the Representative has asked leave to summarize.

CLERK:

LCO5902, Senate "A", offered by Senator Sullivan.

DEPUTY SPEAKER LYONS:

Representative Merrill, hearing no objection to summarization, please proceed.

REP. MERRILL: (54th)

Thank you, Madam Speaker. This amendment is from the Senate and merely clarifies language that was in the original bill as adopted in this body, and I move for passage of the amendment.

DEPUTY SPEAKER LYONS:

The question before the Chamber is on adoption. Will you remark? Will you remark on the amendment that is before us? Representative Flaherty.

REP. FLAHERTY: (68th)

Thank you, Madam Speaker. Question, through you, to the proponent of the amendment. I was just wondering to clarify the affect that this would have, through you, Madam Speaker, would this stagger the amendments or is there, I'm wondering what the - stagger the terms or what exactly is the effect and the

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reason this amendment was passed in the Senate.

Through you, Madam Speaker.

DEPUTY SPEAKER LYONS:

I'm sorry. Representative Merrill.

REP. MERRILL: (54th)

No, as a matter of fact it would not have the effect. It's just clarifying what we were trying to do, which was not to supplant anyone who's currently on the board, and the Senate members felt that this was not sufficiently clear in that matter.

DEPUTY SPEAKER LYONS:

Representative Flaherty.

REP. FLAHERTY: (68th)

Thank you, Madam Speaker. I thank Representative Merrill for her explanation and I support the amendment.

DEPUTY SPEAKER LYONS:

Will you remark further on the amendment that is before us? If not, let me try your minds. All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER LYONS:

Those opposed, nay. The ayes have it. The amendment is adopted and ruled technical.

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House of Representatives

Wednesday, April 27, 1994

Will you remark further on the bill as amended?
Will you remark? If not, will staff and guests please
come to the Well? Will members take their seats?

Will you remark further on the bill as amended? If
not, will staff and guests please come to the Well?
Will members take their seats? The machine will be
opened.

CLERK:

The House of Representatives is voting by roll
call. Members to the Chamber please. The House is
taking a roll call vote. Members, kindly report to the
Chamber.

The House is voting by roll call. Members, to the
Chamber.

SPEAKER RITTER:

If all the members have voted, please check the
roll call machine and make sure your vote is properly
cast. If it has been, the machine will be locked, and
the Clerk will please take the tally.

Clerk, please announce the tally.

CLERK:

004668

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House of Representatives Wednesday, April 27, 1994

House Bill 5511, as amended by House Amendments "A" and "B", and Senate Amendment "A", in concurrence with the Senate.

Total Number Voting	141
Necessary for Passage	71
Those Voting Yea	141
Those Voting Nay	0
Those absent and not Voting	10

DEPUTY SPEAKER LYONS:

The bill as amended passes.

Clerk, please continue with Calendar 440.

CLERK:

Page 19, Calendar 440, Substitute for House Bill 5664, AN ACT CONCERNING FUNDING FOR CERTAIN TOURISM DISTRICTS AND THE MEMBERSHIP OF THE CONNECTICUT COUNCIL. Favorable Report of the Committee of GAE.

REP. DAVIS: (50th)

Mr. Speaker.

SPEAKER RITTER:

Representative Davis.

REP. DAVIS: (50th)

Thank you, Mr. Speaker. I would like to excuse myself from the Chamber for a potential conflict of interest, please.

SPEAKER RITTER:

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EDUCATION

March 7, 1994

SCOTT HOLCOMB: Good afternoon Senator Sullivan, members of the Committee, I'd like to take this opportunity to comment on HB5511 AN ACT CONCERNING THE BOARDS OF TRUSTEES OF THE CONSTITUENT UNITS OF THE STATE SYSTEM OF HIGHER EDUCATION.

My name is Scott Holcomb. I am the Vice President of the undergraduate student government at the University of Connecticut.

I am very concerned about the present and future of the University.

I speak out in support of HB5511 which seeks to increase the number of alumni members on the board of trustees because I believe it will benefit the members of the University of Connecticut, and in turn, the State.

The University of Connecticut is not only a research 1 institute, the state's flagship university and the number 4, soon to go down to number 2 nationally men and women's basketball teams, it is a community. A community that can only be understood and appreciated by experience.

I believe that the the entire University of Connecticut community will be better served if the alumni representation on the Board of Trustees is increased.

Last semester, the undergraduate student government, in conjunction with the president's office, sent invitations to the 9 new members appointed by Governor Weicker to visit the Storrs campus.

Out of those 9, only one board member, Jennifer Smith, took the opportunity to meet with students and listen to our concerns.

In addition, the recent implementation of teleconferencing at board meetings is another sign of a Board of Trustees that is losing touch with the people they represent.

Often times, students are left out of important decisions effecting the future of the University.

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March 7, 1994

We believe this legislation will help build a strong link between the Board of Trustees, the Administration and the student body.

Alumni have a unique perspective on the affairs of the University and I believe their past experience as students will assist them in (inaudible) University that's responsive to the needs of all parties involved.

Thank you.

SEN. SULLIVAN: Have you attempted to meet on behalf of the student body with the Governor who is the appointing authority ...

SCOTT HOLCOMB: Yes.

SEN. SULLIVAN: ... to discuss this.

SCOTT HOLCOMB: We have never been able to acquire meeting with him.

SEN. SULLIVAN: How about the Chairman of the Board.

SCOTT HOLCOMB: No. We have ... of the Board of Trustees?

SEN. SULLIVAN: Yes.

SCOTT HOLCOMB: We have met with him and he basically has not had any opinion on this legislation.

REP. MCDONALD: (inaudible - mic not on)

SCOTT HOLCOMB: The entire University, both the Law School and the Graduate Programs.

REP. MCDONALD: (inaudible - mic not on)

SCOTT HOLCOMB: Right. Yes.

REP. MCDONALD: (inaudible - mic not on)

SCOTT HOLCOMB: Yes. Thank you.

REP. MCDONALD: (inaudible - mic not on)

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SEN. SULLIVAN: At least the Representative is working even if her mic isn't. That's important.

Are there other questions?

I don't want to ask you to do this publically. At some point, if you could privately at least provide me with a list of those individuals, appointees, who were invited ... you indicated the one person who did come on campus to meet with you all.

I'd be curious to see the ones that were asked and decided it wasn't that important.

SCOTT HOLCOMB: I will do that sir.

Thank you.

SEN. SULLIVAN: (inaudible - mic not on) followed by Doug Crocket.

WILLIAM ROSEN: Senator Sullivan, members of the Education Committee, my name is William Rosen. I've spent 32 very satisfying and productive years on the faculty of the University of Connecticut at Storrs -- from 1960 to 1992 when I retired as Professor of English and head of the English Department.

Thank you for the opportunity to speak in favor of the section in HB5511 which proposes that the Board of Trustees of the University of Connecticut shall include at all times on and after July 1, 1995, at least seven members who are alumni of the University.

Serving on a number of university committees over the years has given me a measure of understanding the workings of the Board of Trustees and the University. A University Committee on Long Range Planning. The University Senates Growth and Development Committee. The Executive Committee of the Graduate School.

Membership on the standing Advisory Committee to the Board of Governor's for Higher Education allowed me to interact with students, faculty and Board of Trustee members from the various units of higher education.

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We were fortunate in having on that Committee, a member of the Board of Trustees of the Connecticut State University System who was an alumni of one of the colleges of that system.

Her experience as a former student was invaluable. For she had first hand knowledge of where her school had been, where it was going and where it needed to go to provide excellence in education.

When knowledge, loyalty and commitment come together, all of us benefit.

I'm not denigrating the work and commitment of trustees who did not graduate from the universities they direct. But where I am an alumni of the University of Connecticut, I would be distressed to learn that of the 9 appointments in the present Governor's term, only 1 is a graduate of the University of Connecticut.

Alumni have a personal understanding of the needs and the workings of their university. It is invaluable to have people who know from their own experience the university's past to help chart its course for the future.

The careers of the many distinguished graduates bear witness to the success of UConn as an educational resource. There are many who would be eager to use their special knowledge in the service of their university for the good of their state.

Surely, it is not unreasonable to ask that of a 19 member Board of Trustees, there should be, at all times, at least 7 who are alumni.

Thank you.

SEN. SULLIVAN: Thank you.

Let me play a little devil's advocate on this ...

WILLIAM ROSEN: Sure.

SEN. SULLIVAN: .. and ask you a question.

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One of the problems our University has suffered from, I think of late, is the degree of public support for our University. I guess I would extend that to all of public higher education.

By public support, I don't simply mean the legislature and the Governor, I mean the people of the state of Connecticut.

One of the arguments for a different composition for the Board of Trustees might be to attract people who don't necessarily have any personal experiences of the institution but who might be from, for example, the corporate sector and bringing with them a fundraising capacity or a commitment that might not otherwise be supportive.

Is that a concern on the other side of the coin that sometimes people bring to the table and discover in the legance and affiliation that they didn't have before?

WILLIAM ROSEN: I think .. based on my own experience, one's commitment is to one's almatater.

I've served over 30 years at the University of Connecticut and I love it dearly but the ties that I have ... the strongest ties that I have are to my own educational institution because I came from a poor family. That provided me the ability to cross the tracks. It provided me with the education and the support in scholarship aid that I will forever be grateful.

So, my emotional ties are to my almatater and I think that is true of most people. Their ties are to their own institutions.

And, while I think you have many very dedicated members of Board of Trustees from other institutions, I don't think it will ever replace the kind of loyalty, commitment and financial resources that might be available.

I'm not saying that all of the members of the Board ought to be alumni but it just strikes me that 7 of 19 is not outrageous.

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SEN. SULLIVAN: The flip side of that is the degree of contribution among graduates of all public institution of higher education in support of their own schools is pretty low and so I'm not sure that the theory holds completely but I can make a point.

Other questions?

Thank you very much.

WILLIAM ROSEN: Thanks.

SEN. SULLIVAN: Doug Crocket followed by John Allison.

Mr. Crocket?

: (inaudible - mic not on)

JOHN ALLISON: Senator Sullivan, Representative Wyman and the rest of you with long endurance, you are absolutely marvelous to have stayed to this point.

SEN. SULLIVAN: We would be (inaudible - mic not on).

JOHN ALLISON: I'm not so sure.

I'm John Allison, I am the Director of the Capitol Regional Education Counsel and I'm here to provide testimony on SB291.

That testimony will be in support of the bill and with the recommendations of some (inaudible) to it.

First, I support the bill because it enables us to draw down for those very important facility planning costs and thereby avoiding what would be costly borrowing in order to accomplish the same.

The initial costs of planning the facility and developing the facility are significant. The time that can be saved by good facility preparation is translated into funds.

Amendments that I would request:

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PART 2
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STATE OF CONNECTICUT
BOARD OF TRUSTEES OF COMMUNITY - TECHNICAL COLLEGES

61 Woodland Street - Hartford, Connecticut 06105-2392 - Telephone: (203) 566-8760

March 7, 1994

TO: THE HONORABLE KEVIN SULLIVAN, SENATE CHAIR
THE HONORABLE NANCY WYMAN, HOUSE CHAIR
MEMBERS OF THE JOINT COMMITTEE ON EDUCATION

FROM: THE REV. DAVID L. CANNON, CHAIRMAN
BOARD OF TRUSTEES OF COMMUNITY-TECHNICAL COLLEGES

SUBJ: H.B. 5511 - AN ACT CONCERNING THE BOARDS OF TRUSTEES OF THE
CONSTITUENT UNITS OF THE STATE SYSTEM OF HIGHER EDUCATION

I appreciate the opportunity to comment on H.B. 5511 which would require a substantial increase in the minimum number of members of the boards of trustees of the constituent units of higher education who must be alumni of institutions within the respective units.

First, I would like to note that the drafter of the bill appears to intend that approximately one-third of the membership of each Board would be alumni. However, the eight members so identified for the Community-Technical College Board would be based upon the total number of Board members prescribed in 1989--24 members--rather than the number of members to which the Board has been downsized over the past several years--eighteen. Accordingly, if the General Assembly wishes to proceed with this legislation, it would seem that six rather than eight alumni members would be appropriate for the Community-Technical College Board.

More importantly, I would like to share a concern with the main proposal which the Statement of Purpose indicates is based on a need "To ensure a sense of commitment to the institutions." I have had the privilege of serving as a community college trustee, and now as a community-technical college trustee, for many years. Throughout my term of service, I have had the privilege of serving with dedicated men and women of all ages. Some have been students, some alumni, some actively employed, some retired. They have come from the professions of medicine, law and education, and from the worlds of business, commerce and labor. And, they have come from many different ethnic groups. Indeed, they have reflected all of the constituencies in our society whom our colleges serve.

Sharing a common responsibility to serve effectively as trustees for the public interest in this important element of public higher education, the degree to which the quality of service might be distinguished among trustees could never be attributed to alumni

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status. Many who have served as trustees have been appointed to this responsibility from service on college regional advisory councils where they worked as community members to support the growth and development of individual colleges; many have come from business and labor where they came to appreciate how important these institutions are in preparing Connecticut's citizens to be the workforce to match the economic development challenges of our state in this and in the next century; and many represent the special groups in our society who may not have previously enjoyed the promise of educational opportunity which it is the distinctive mission of community-technical colleges to preserve and to extend to all who seek and can benefit from it.

My point is simply that our experience has demonstrated that there are vast numbers of talented citizens of Connecticut who understand and are deeply committed to supporting and advancing the mission of educational service with which the community-technical colleges are charged. I suggest that it is unwise to unnecessarily limit the pool from which such citizens can be selected by requiring a large number of Board members to come from any specified category like alumni.

I hope that the committee will not move forward with this proposal.

DLC:108

HB 5511

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Laurie Brindisi
UConn Graduate School
March 7, 1994

STATE UNIVERSITY AND UNIVERSITY SYSTEM GOVERNING BOARDS

As an alumnus of the University of Connecticut's School of Liberal Arts and a graduate student pursuing a Master of Public Affairs degree, I strongly support legislation that would increase the number of alumni on the Board of Trustees. Requiring that only one-third of the members be alumni is a modest proposal, as it does not severely constrain the Governor's appointment power. I have researched how 22 state universities and state university systems select their governing boards to examine other alternatives.

There are three major characteristics that determine the composition of governing boards of state universities and state university systems. These characteristics are: (1) alumni membership; (2) gubernatorial appointments subject to confirmation by the Legislature; and (3) geographic distribution of board members. In this 22 state survey, governing boards in 19 state universities or state university systems were found to have one or more of these characteristics. This report examines which characteristics are required for governing boards at various state universities and state university systems.

Currently, the University of Connecticut's Board of Trustees has only two members elected by the alumni organization. State statutes do not require geographical distribution of members or confirmation of gubernatorial appointments by the Legislature.

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ALUMNI REPRESENTATION

Nine state universities and state university systems (40.9%) require alumni representation on governing boards. Alumni representation ranges from 5.3% on the California State University Board of Trustees (one of 19 voting members), to more than 50% at Alabama State University, where a majority of the members on the Board of Trustees must be alumni. The following table lists the percent of alumni representation required on governing boards of the states surveyed.

STATE UNIVERSITY/SYSTEM	% ALUMNI
Alabama State University Board of Trustees	>50.0
California State University Board of Trustees	5.3
University of Connecticut Board of Trustees	10.5
Illinois state University System Board of Regents	27.3
University of Kentucky Board of Trustees	15.0
University of Massachusetts Board of Trustees	26.3
Board of Trustees of the University System of New Hampshire	16.0
Rutgers University Board of Trustees	19.7-29.0
Board of Visitors of Virginia Polytechnic Institute and State University	46.2

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LEGISLATIVE CONSENT/CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

Of the 22 states surveyed, 15 (68.2%) require confirmation of gubernatorial appointments by the Legislature. The following table lists the state universities and state university systems that require advice and consent or confirmation of gubernatorial appointments to governing boards.

STATE UNIVERSITY/SYSTEM	LEGISLATIVE CONSENT/CONFIRMATION
Alabama State University Board of Trustees	Advice and consent of the Senate
Arizona Board of Regents	Consent of the Senate
California State University Board of Trustees	Confirmed by two-thirds of the Senate
University of Delaware Board of Trustees	Consent of majority of the Senate
Florida state University System Board of Regents	Confirmed by the Senate
Georgia state University System Board of Regents	Confirmed by the Senate
Illinois state University System Board of Regents	Advice and consent of the Senate
Iowa Board of Regents	Confirmed by the Senate
Louisiana state Colleges and Universities Board of Trustees	Consent of the Senate
Montana Board of Regents of Higher Education	Confirmed by the Senate
Board of Trustees of the Nebraska State Colleges	Advice and consent of the Legislature
Board of Trustees of the University System of New Hampshire	Advice and consent of the Senate
Rutgers University Board of Trustees	Advice and consent of the Senate
Rhode Island Board of Governors for Higher Education	Consent of the Senate
Board of Visitors of Virginia Polytechnic Institute and State University	Confirmed by the Senate

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GEOGRAPHIC DISTRIBUTION OF MEMBERS

The third characteristic of state university and university system governing boards is geographic distribution of members. The following table lists the five (22.7%) of the 22 states surveyed that require geographic distribution of members.

STATE UNIVERSITY/SYSTEM	GEOGRAPHIC DISTRIBUTION
Alabama State University Board of Trustees	Two trustees from the Congressional District where the institution is located, and one from each other Congressional District
University of Colorado Board of Regents	One trustee from each of the six Congressional Districts and three trustees selected at large
University of Delaware Board of Trustees	At least five trustees from each county in the state
Georgia state University System Board of Regents	One trustee from each Congressional District and five from the state at large
Louisiana state Colleges and Universities Board of Trustees	Two trustees from each Congressional District and one from the state at large

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SUMMARY: CHARACTERISTICS OF GOVERNING BOARDS

The following chart shows which state university and state university system governing boards require alumni representation, legislative confirmation of gubernatorial appointments, geographic distributions of members, or a combination of one or more.

STATE UNIVERSITY/SYSTEM	ALUMNI MEMBERS	LEGISLATIVE CONFIRMATION	GEOGRAPHIC DISTRIBUTION
Alabama State University Board of Trustees	X	X	X
Arizona Board of Regents		X	
California State University Board of Trustees	X	X	
University of Colorado Board of Regents			X
University of Connecticut Board of Trustees	X		
University of Delaware Board of Trustees		X	X
Florida state University System Board of Regents		X	
Georgia state University System Board of Regents		X	X
Illinois state University System Board of Regents	X	X	
Iowa state Board of Regents		X	
University of Kentucky Board of Trustees	X		
Louisiana state Colleges and Universities Board of Trustees		X	X
University of Massachusetts Board of Trustees	X		
Montana state Board of Regents of Higher Education		X	
Board of Trustees of the Nebraska State Colleges		X	

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STATE UNIVERSITY/SYSTEM	ALUMNI MEMBERS	LEGISLATIVE CONFIRMATION	GEOGRAPHIC DISTRIBUTION
New Hampshire state University System Board of Trustees	X	X	
Rutgers University Board of Trustees	X	X	
Rhode Island Board of Governors for Higher Education		X	
Board of Visitors of Virginia Polytechnic Institute and State University	X	X	

There are three state universities/university systems that do not require of the above characteristics. Appointments to the The University of Hawaii Board of Regents and the Indiana University Board of Trustees are made by the Governor of each state, and are not subject to alumni representation requirements, legislative confirmation, or geographic distribution of members. In North Carolina, each of the 16 constituent higher education institutions in the state university system have a 13-member Board of Trustees comprised of eight members elected by the Board of Governors, four members appointed by the Governor, and the president of the student government serving as an ex officio member.