

**PA13-4**

HB6648

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**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**HIGHER EDUCATION  
AND  
EMPLOYMENT ADVANCEMENT  
PART 3  
484 - 730**

**2013**

March 19, 2013

hac/gbr

HIGHER EDUCATION AND  
EMPLOYMENT ADVANCEMENT COMMITTEE

2:00 P.M.

here on this for sure and I understand that you made some important testimony and I have heard your comments, particularly with regards to the student participation and the involvement in security issues that -- that your expertise should weigh heavily on some of the final language that we do entertain for this, so we thank you very much on -- on the many committee meetings that you've attended so far.

Thank you.

BARBARA O'CONNOR: Thank you.

Okay. Have a great day.

REP. WILLIS: Thank you.

Dr. Phil Austin and Dr. David Levinson from the Board of Regents.

Boy, you're moving better, Phil. Got rid of your crutches.

PHIL AUSTIN: I become inspired when I come to this building.

REP. WILLIS: Or he used the crutch for something else, right? Beat us into submission.

Okay.

PHIL AUSTIN: Madam Co-Chairs, members of the committee, thank you for having us here today.

HB 1648

I am Phil Austin. I'm currently serving as the interim president of the Connecticut State University and Community College Board of Regents.

You have I believe the brief testimony --

written testimony and since I have appeared two or three times already this session on this issue or you've given me the opportunity to comment on this issue, perhaps it would be most efficient just to summarize and -- and take your questions.

It has to do with the term of office of the permanent president of the Board of Regents. As you may know, we are now down to three finalists for the permanent position; a very strong pool of candidates. And the first question that each of them asked me about -- and I know the members of our board was, what's the business with the co-terminus nature of the term of office of the president and that of the Governor, and, of course, this has nothing to do with the incumbent Governor, and (inaudible) Governor Malloy is -- is strongly supportive of this, but I could not urge you more strongly to please allow the Board of Regents to negotiate a contract with the person that they recommend to the Governor as their recommended appointee.

It doesn't remove it somewhat from the political process even though the person who will be chosen is sensitive to the authority of the elected leadership of the state, but this would somewhat insulate from the partisan political arena and so I -- with that I would be happy to answer any questions, Madam Co-Chairs that the committee might have.

REP. WILLIS: Yes, Senator Bye has a question.

SEN. BYE: Thank you, President Austin and for your -- I know this -- you've been working on this for a number of weeks and for your persistence and -- and how hard you're advocating to make sure we get a great leader.

PHIL AUSTIN: Thank you.

SEN. BYE: One of my questions is the -- the structure that we had in place does have some of the challenges you just addressed, like the political challenges being co-terminus with the Governor. Do you think those sorts of things impact it, or sort of suppress applications for the -- for the position?

PHIL AUSTIN: I don't know that it reduced the pool. I do know that it was one of the -- as I suggested, it was one of the first questions for clarification that anyone who was -- got to the point of serious consideration asked for clarification -- interpretation.

Because of our conversations with several of you on this committee at cognizance and the Governor's representatives, we were able to say that there seemed to be broad support for fixing it and so many people who were ambiguous with respect to their intensity of interest stayed in the pool.

Obviously, many people we -- we would have very much liked to have had a more diverse pool. We aggressively instructed the search consultants to seek out the people of color and -- and women candidates. Some were in and then dropped out. I don't know that that -- that that subgroup of applicants were anymore effected by this and the white males, but I think there were 39 individuals who were nominated or applied for this type of a position off a campus. I'm told by the headhunters that it's about what they might have expected.

REP. WILLIS: I have a follow up concern, I mean, it -- it does concern me that we didn't change this process sooner. I do think that -- that

it's a low number of applicants to be receiving for a position like this that's been, you know, in talking to people who were in the higher education field think it's -- we didn't get a large number and this could have been a deterrent for people applying for the job.

But -- but that being said, you know, we do -- we do have concerns about the process. Obviously we've had concerns for a while and I just don't know if -- you know, I know you went with the headhunter kind of -- is there other models out there in terms of advertising as opposed to relying on one firm to do a search. I'm not that familiar with it so.

PHIL AUSTIN: Well, I think it -- in the most abstract level it's either the -- the board of its designee heads the search internally or once seeks an outside professional because we -- we've talked at length about some of the challenges and some of the potential strengths of this new system. It struck us that it would make sense to engage a professional in it. The senior members of which had contacts in all segments of higher education and I believe we had that with the Association of Governing Boards Group that had headed this search.

They were in contact with 10 or 15 of the National Association in -- headquartered in Washington, D.C. They asked that the head person in the consultants firm ask me to put in calls to people that I knew around the country to encourage people to apply and you may be quite right, Representative Willis that -- that the nature of -- of what we're here talking about today could have had an impact.

My sense is that it's a special kind of person that has an interest with -- in the system

coordination job leadership job as opposed to being on a campus and I had done both over the years and frankly if you're in this line of work it's better to be interacting daily and directly and intimately with professors and students as opposed to this very important line of work, but it's more organizing and representing in the public arena and elsewhere and much less close contract -- much less close contact with the students and the faculty and I -- my sense is that probably is a greater limiting factor than -- than the co-terminus nature.

Though people are, you know, you -- you want to be evaluated for the work you do by the oversight board to which you report rather than the next political election and that's the way the thing is set up right now and I -- I've been gratified that people on -- on both sides of the aisle in both the House and Senate with -- with many of you in this room have indicated support for this and I -- I think it's the right thing to do and -- and with all respect, the sooner you can do it the better because we're now at the point I believe where the board will be making a decision and entering negotiations.

REP. WILLIS: Did -- did the search include -- did people from Connecticut apply? From -- through any in-house applicants, is that an appropriate question?

PHIL AUSTIN: I will tell you that I strongly urged a couple of people from Connecticut to apply and in one case he and then one case she decided not to, but I don't know whether -- there were no people from Connecticut in the final eight -- seven.

REP. WILLIS: No that in the -- in the final what?

PHIL AUSTIN: Seven.

REP. WILLIS: Seven. Okay. I thought you were tougher than that, Phil. I thought (inaudible). If I got a call from you I would have caved.

PHIL AUSTIN: Send money then.

REP. WILLIS: Other questions or comments?

Yes, Senator Boucher and then after that Representative Ackert.

SEN. BOUCHER: Thank you very much, Madam Chair.

And we can see by your answers why you did so well over so many years through a multiple administrations and -- and you answered so diplomatically as some of us often do not, I'm afraid.

And I -- I think from -- I -- I can gather from some of the comments from yours and others that in fact clearly this was a factor that affected the recruitment process if the very first question out of the top candidates mouth have to do with the process. It certainly plays into that factor and I know that having sat on multiple boards myself, having chaired local boards of ed and being on board -- state boards and so on, the process is very important.

It's one thing to be appointed to a board and go through the executive nomination process and being approved by House and Senate. It's another thing altogether to be recruited and chosen by your board, either for a chairmanship or for recruiting a commissioner or a president

and to have it be an appointment by anyone from any political party in a position where their term is not certain. It's not based necessarily on performance sometimes. It's based on politics, numbers and we all know what the -- the challenges of those -- that process is very clearly ourselves.

And I often would get the comment when I was on the state board of ed, boy, Connecticut really does it well. Wish ours functioned like that on the state board of ed. You choose your own commissioner. It's not a political appointment and they -- they wished for that kind of -- of wonderful where -- you know, less political process so I'm -- I'm glad that at least we're addressing this now.

It is unfortunate that it wasn't done sooner and thought about and in as far as what good government's practices are and employing good governance and having a level of independence so that the very best, most qualified individuals could come forward and then hold that spot while they are still doing the best job possible.

And again, we thank you for being here and for taking the helms during a turbulent period. It's become your MO I'm afraid, Dr. Austin, but hopefully we'll still see you around once this process is completed to help us in the next event, hopefully a more positive one.

Thank you very much, Madame Chair.

REP. WILLIS: Representative Ackert.

REP. ACKERT: Thank you, Madam Chair.

And it's good to see you both, Dr. Austin and

Dr. Levinson.

Just a question, is this more traditional way -  
- the new bill the way it's written now? Is  
this the more traditional way that a president  
of a Board of Regents would be picked?

PHIL AUSTIN: Are -- are you speaking of a  
consulting firm?

REP. ACKERT: No, actually the -- actually the Board  
of Regents actually picking their own  
president. Is that a more traditional way than  
the way that's listed in our -- in our bill  
prior to this -- to this Bill 6502 going  
through?

PHIL AUSTIN: Yes. I -- I believe it is the  
governing board would -- would -- would make  
the selection; however, the last time I  
appeared before this committee I -- I made it  
very clear that you would -- in a public  
university setting you would have the wrong  
president if he or she was not aware of the  
importance of the elected leadership of the  
state.

It's one thing for governance and choosing  
someone who's actually to lead and manage.  
It's quite another to obtain the resources to  
run the place and so there are different sets  
and types of responsibilities than would be at  
the peril of a university system or as  
president to fit because the board is making  
the decision that you can ignore other people  
with authority and responsibility.

REP. ACKERT: Okay. And then when the president is  
chosen, does the president bring forward -- I  
know that the Board of Regents from what I've  
read on this, brings forward ideas and the

president's -- and I've looked at your left final three candidates and very impressive by the way in terms of what I've been reading on the three of them -- three gentlemen.

When they bring forward their -- his ideas in this case, brings it to the -- come so the Board of Regents for a consensus vote on it, or is it kind of his will?

PHIL AUSTIN: Oh, no. I -- it would be with the approval -- any big policy change or initiative would be with the -- at least the agreement if not the formal vote of a Board of Regents and of course what I mentioned to you the last time was when -- when I was asked to assume this responsibility the understanding was that we would try to stabilize the situation, prepare for this legislative session, get the budgets started and make some -- Dennis Murphy and I would make some decisions to make an easier transition from -- for the permanent president.

All of this was with the understanding that once there was a president who would -- we hope be here for five or ten years. That that person would then sit down with this committee and with the Governor and his designees to come up with a large initiative for the 17 institutions to pursue its role in -- in the state's economic expansion and economic development area and I fully expect that that's what will happen once the decision is made.

REP. ACKERT: And -- and thank you and final point, I -- I guess and I don't think this would have to happen, but if there's a vote of no confidence (would it be the Board of Regents that would -- would also be involved with the - - if need be now, if I don't think that would ever happen, but would the reverse process be

the same that you believe for the removal of a president or the Regents -- Board of Regents?

PHIL AUSTIN: Technically yes, but with the same proviso. If it ever, God forbid, got to the point where a Governor or the Co-Chairs of Committees of Cognizance or C-Chairs of the Appropriations Committee didn't like the tie that a male happened to be wearing and it's three males, the Board of Regents will not be immune to that type of information.

REP. ACKERT: Thank you. Appreciate it.

Thank you, Madam Chair.

REP. WILLIS: Thank you.

Senator Cassano.

SEN. CASSANO: Yes, I've seen no testimony, but there is a bill here concerning graduation requirements of study I guess of the both the unvirsiy system -- community college system, what is the -- the goal or the purpose behind that?

PHIL AUSTIN: The -- I'm sorry, Senator, behind what?

SEN. CASSANO: We have this -- a Bill 1045 and there's no written testimony on it, AN ACT CONCERNING GRADUATION REQUIREMENTS FOR THE CONNECTICUT STATE UNIVERSITY SYSTEM AND THE REGIONAL COMMUNITY COLLEGE SYSTEM. What is it that we're looking at there? I hadn't seen anything so I'm just curious?

PHIL AUSTIN: Senator, I'm informed that this is a committee bill not our bill.

SEN. CASSANO: Okay. We communicate well.

And finally, on the president's position, I assume that is now a year round position?

PHIL AUSTIN: I'm sorry?

SEN. CASSANO: Full-time. Thank you.

REP. WILLIS: That was good, Senator. It was one of the more clever things I've heard from the Senate in a while.

Yes, Representative Candelaria.

REP. CANDELARIA: Thank you, Madam Chair.

Just a quick question, Dr. Austin. Based on your -- on your -- I guess your years of service to the state and your expertise within the work in the university system, this change in the Proposed Bill 6648, do you agree with the board appointing its own president? Have we had an issue in the past that -- within the history of -- based on your knowledge, where we had an issue with the board and the president itself?

PHIL AUSTIN: With this board, I -- I can speak with modest confidence with what happened from last roughly September, Representative --

REP. CANDELARIA: Right.

PHIL AUSTIN: -- and I -- I really was not involved prior to that.

REP. CANDELARIA: So you support this concept of the Board of Regents appointing its own president -

PHIL AUSTIN: Yes, sir.

REP. CANDELARIA: -- and not the Governor?

PHIL AUSTIN: Yes, sir. I do. Because it's not as if the elected leadership of the state is giving up any authority since the board itself, by and large is appointed by -- by the elected leadership. It's simply a matter of removing it somewhat from the partisan political environment and I strongly support that for academic reasons.

REP. CANDELARIA: And since I have you here, not regarding to this, do you believe that the authority to increase tuition to the students should -- should rely solely on the Board of Regents?

PHIL AUSTIN: With -- with the proviso that I mentioned earlier, Representative, that no one operates in isolation and I can tell you that this board and other boards to which I've reported probably would not be in the business of public higher education if they didn't want to provide the best quality education at the lowest price, so there is a natural instinct to people who are involved in this as careers to -- to equalize opportunity, to do our role in economic expansion, create jobs and so on throughout the state, but it is also the simple reality of arithmetic so that there are two or three sources of revenue, one of which is state appropriations, private donations and tuition.

And of one over time has systematically decreased the pressure if you're going to keep class size manageable. If we're going to maintain quality than the revenue has to come from somewhere and, as you know, under our C-Back (phonetic) agreement we've had a couple of years of no raises and now it's in the next fiscal year we're going to have a couple of

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**Testimony by Philip E. Austin, Ph.D.  
Interim President**

Board of Regents for Higher Education  
Connecticut State Colleges & Universities  
Before the Higher Education and  
Employment Advancement Committee  
March 19, 2013

Good afternoon, Senators Bye and Boucher, Representatives Willis and LeGeyt and members of the Committee. My name is Philip E. Austin and I am, as you know, the Interim President of the Board of Regents for Higher Education. The Board of Regents governs Connecticut's four state universities, 12 community colleges, and Charter Oak State College, the state's only public, fully-online institution. I am here to offer testimony on **House Bill 6648, An Act Concerning the Board of Regents for Higher Education**, regarding the proposed change to the term of the President of the Board of Regents for Higher Education. As you know, I am the Interim President, so keeping the statute the way it reads currently, or changing it, has no impact on me personally. However, I believe very strongly that the statute should be changed in order to attract a top-notch candidate whose commitment and dedication to the job far exceeds the 18 month tenure they may realize if the statute is kept the way it is currently written.

As you know, the search for the next President of the Board of Regents for Higher Education is currently underway. The Regents' Search Committee (RSC), chaired by Lewis J. Robinson, is working to produce a position profile, solicit applications, review candidates, and, ultimately, recommend a final candidate to Governor Malloy for appointment. Throughout the search process, the Regents' Search Committee has been assisted by the Systemwide Advisory Committee (SAC), composed of faculty, staff and students from across our 17 campuses, as well as representation from the private sector. As I speak to you today, three finalists are in the state meeting with Regents, faculty, staff, presidents, students and other stakeholders, at a key juncture in their interview process. The Regents are working toward recommending candidates to the Governor during the month of April, and the successful candidate will begin his tenure sometime during the summer.

Understanding the impact that a large-scale reorganization can have on an organization, the Regents' Search Committee is seeking to identify dynamic, proactive, and energetic individuals who will be able to provide steady leadership and move the Connecticut State Colleges & Universities forward over a long period of time. The Board of Regents for Higher Education is supportive of a change in the statutory term of the president. Currently, the president's term is coterminous with that of the governor. The president of the Board of Regents should work closely with the governor and his or her commissioners, particularly on issues of workforce development, the alignment of our programmatic offerings to private sector needs, P-12 matters, and other critical issues that necessitate higher education and government partnerships.

However, the leader of the Connecticut State Colleges & Universities, much like the leader of the University of Connecticut, should have his or her term set by the recommending authority, in this case, the Board of Regents for Higher Education.

During this period of transition, a common refrain heard from students, faculty, and staff on our campuses, and from a few of you, is that our system would benefit greatly from having a strong, long-term leader at the helm of our colleges and universities – someone who will be here for the foreseeable future and who can advocate on behalf of our institutions. I couldn't agree more. I came to the University of Connecticut in 1996 because of the investment the state had just made in UConn, and you better believe I worked with every governor – regardless of their political party – to continue to devote additional investments to UConn throughout my tenure there. If the language concerning the term of the President of the Board of Regents is changed to make the appointment less political, I believe the long-term stability, strength and growth of the system will be greatly enhanced.

**H - 1153**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2013**

**VOL.56  
PART 4  
1026 - 1360**

Will the Clerk please call Calendar Number 180.

THE CLERK:

On Page 20, Calendar Number 180, Favorable Report of the joint standing Committee on Higher Education and Employment Advancement, Substitute House Bill 6648, AN ACT CONCERNING THE BOARD OF REGENTS FOR HIGHER EDUCATION.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Speaker Ritter, it's so nice to see you up there.

Madam Speaker, I move for the acceptance of the joint committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER RITTER:

The question is acceptance of the joint committee's Favorable Report and passage of the bill.

Representative Willis, you have the floor.

REP. WILLIS (64th):

Thank you, very much, Madam Speaker.

With the passage of this bill, the Board of Regents for Higher Education shall appoint a president who will serve at the pleasure of the board. The Board of Regents will establish the terms and the

conditions of the employment. I urge passage.

Thank you, madam.

DEPUTY SPEAKER RITTER:

Will you remark further on this bill?

Representative LeGeyt, of the 17th District.

REP. LeGEYT (17th):

Thank you, Madam Speaker.

I rise in support of this bill. It solves several problems that have come to light, of late, regarding the involvement of various other people with the determination of president of the Board of Regents and makes changes that will improve the process greatly. So I encourage my colleagues to vote in favor of this bill.

Thank you.

DEPUTY SPEAKER RITTER:

Thank you, Representative.

I would ask the Chamber please if they could either take their conversations out to the hall or to keep the conversation level down. It's difficult for Representatives to hear the discussion.

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Madam Speaker.

Madam Speaker, through -- a few questions,  
through you, to the proponent of the bill.

DEPUTY SPEAKER RITTER:

Please proceed, Representative Cafero.

REP. CAFERO (142nd):

Thank you, Madam Speaker.

Through you, Representative Willis, I -- I want  
to understand the bill because I think so many of us,  
when the whole Board of Regents was created, made  
certain assumptions that, at least in my mind, turned  
out not to be true and, frankly, were somewhat, again,  
in my mind, an embarrassment to the Board of Regents,  
themselves.

With regard to the hiring of the president of the  
Board of Regents, does this -- this bill directly  
relates to that hiring; is that correct?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Yes, Madam Speaker, through you, to the Minority  
Leader.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

And through you, Madam Speaker, if the good lady could explain how this changes what was to what will be.

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative -- Representative Willis.

REP. WILLIS (64th):

Through you, Madam Speaker.

The present process is that the Board of Regents does a search for a president, makes recommendations, and those recommendations are then sent to the Governor's Office.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

And through you, Madam Speaker, was that, in other words the first time -- I guess we've only -- and you could answer this -- we've only hired one president of the Board of Regents. The first time we hired that president, was that the procedure that was followed? The Board of Regents did a search,

submitted names to the Governor, and he picked a name?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Through you, Madam Speaker, no.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Madam Speaker, in the initial instance, how was the president hired then?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Thank you, Madam Speaker.

Through you, Madam Speaker, the first process was the Board of Regents had yet to be in office, in January of that year. The Governor's Office did a search and then recommended a name to the Board of Regents.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Madam Speaker, in the initial instance, did the Board of Regents hire the president or did the Governor's Office hire the president?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

The Board of Regents hired the president, after they took office. Remember that previous to that, there was no Board of Regents.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

And through you, Madam Speaker, the Governor will no longer, therefore, based on this, the language of this bill, be part of that process; in other words, does this bill say the Board of Regents will conduct the search for a president, they'll do the interviews for the president, and they're -- they therefore will hire the president; is that correct?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Through you, Madam Speaker, yes; they do the whole deal.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Madam Speaker, it's very important to know whether the whole deal includes the negotiation of the contract of the president. Who will be negotiating that contract?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Through you, Madam Speaker, the Board of Regents. They will set the terms and the conditions of employment.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Madam Speaker, who -- who sets the salary or the compensation for the president of the Board of Regents?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

The Board of Regents -- I'm sorry -- through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Madam Speaker.

Through you, again, to Representative Willis, obviously there were a lot of details that came out with the departure of former-President, Robert Kennedy, of the Board of Regents. In particular, there were reports and, of course, he admitted that he had, as part of his contract, a -- a sabbatical-type clause that allowed him, in his opinion, to work off-site and where he worked for about nine weeks and collected his salary.

Is there anything within this legislation that would prohibit such a clause to be duplicated in a

subsequent hiring?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Through you, Madam Speaker, no, there's nothing that would prevent that in this proposal.

Thank you.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

And through you, Madam Speaker, what degree, if any, of oversight do we as a Legislature have with regard to the compensation, the salary, the bonus, the terms of employment, reimbursable expenses, such as tolls or gourmet coffee or the like; what kind of control, if any, do we have as a Legislature with regard to that, based upon this bill?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Through you, Madam Speaker.

In this legislation, we do not any pieces that address that, although we do have another piece of legislation that came out of the Higher Education on the transparency of -- of fees, and things like that would be reported. So, but that is separate from this proposal.

Through you.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Madam Speaker.

I -- I guess my question would be none of us in this room want to revisit the kind of, the kind of issues that arose during the -- the last presidency of -- of Board of Regents' President Robert Kennedy, with regard to his unilateral approval of salaries for the rest of the staff on the Board of Regents, as I indicated before, his interpretation of his contract's so-called sabbatical clause, the way he would submit for reimbursement. I think in large part this bill is addressing that process.

My concern is what safeguards do we have built into this bill, or as you indicated, maybe some subsequent bills, that would prevent that kind of

thing from happening again?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Through you, Madam Speaker, that is a conversation that really happens within the hearing, public hearing process of the Appropriations Committee, specifically the Subcommittee on Higher Education. We ask all those questions when they, the different constituent units come before us every year, when we have concerns like this. So I think this is very much an issue and a matter that needs to be reviewed by the Appropriations Committee.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Yeah, through -- through you, Madam Speaker, I appreciate that. But here's the problem that we continue to find ourselves in, and that is if an entity is now in charge of negotiating a contract with an individual and they negotiate that contract. And let's say that contract is for three or four years, if that's the case and we subsequently find out that

maybe the level of compensation or the terms of the contract, with regard to somebody taking nine weeks off and not working or -- or getting reimbursed for certain expenses, if that was already negotiated, do we have any power as a Legislature to undo that contract or modify that contract based on this bill?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Will the Chamber please keep their conversations either to a minimum or take them outside to the hall? It is very difficult to hear the discussion.

REP. WILLIS (64th):

Through you --

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Through you, Miss -- Madam Speaker, no, this bill does not address that.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Madam Speaker.

I want to thank Representative Willis for her answer. And I also want to thank Representative

Willis and the whole Higher Education Committee, including Representative LeGeyt, for bringing this bill before us. And I congratulate them for encountering a problem that all came to our surprise, this past summer, I believe, or fall -- I can't remember -- and doing something about it.

But I think -- and I don't know if there's anything more we could do; I would hope so. I understand there's bills coming down the pipeline that might address some of these concerns.

But ladies and gentlemen of this Chamber, I got to tell you something, and I'm sure you felt the same way. When we are all traversing this state and telling people that they're going to have to do more with less, telling mayors and first select -- select people that we're going to have to potentially cut their budgets, when we're telling hospitals that they might be losing hundreds of millions and dollars and face the prospect of laying people off, when some non-for-profits are going to have to close their doors, it is the most galling and glaring of errors when we allow our system to get out of control, without controls, as we did in the first instance of the first president of the Board of Regents.

When you have men and women who are scraping to get by and they're reading about \$400,000-per-year compensation being given to individuals who by contract were allowed to take nine weeks off and go fishing and work remotely, when you hear about that same individual submitting vouchers for 80-cent tolls and gourmet coffee, that is the epitome, the epitome of why people dislike the governmental process.

And if we're going to be true to our word, if we truly have the best interest of our constituents in mind, we have to make darn sure that those kind of things do not happen again.

Now, this is a first step, but what it doesn't address is how well versed are the Board of Regents with regard to the candidate or candidates they'll be seeing. How well versed are they in negotiating a contract? Will they be prepared to negotiate an appropriate, fair contract? And if they happen not to, what if any recourse do we, the General Assembly, have in dealing with that?

Those are questions that are still unanswered, even with regard to this bill. Again, it is a great first step, and I commend all those who worked on it, but in my opinion, it still leaves a lot of questions

unanswered.

And as we go forth in this incredibly difficult budget year, we have to be able to look our constituents in the eye and be able to answer those questions, because to do anything less is unacceptable.

Thank you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Thank you, Representative.

Will you remark further?

Representative Candelaria, of the 95th.

REP. CANDELARIA (95th):

Thank you, Madam Speaker.

Madam Speaker, I rise in opposition to this bill. And I voted against it in Higher Ed Committee, and I want to make everybody know my reasons for voting against the bill.

And I agree with Representative Cafero, there's really no recourse in this bill for -- for this Legislator [sic], this body to have any input. Thoroughly, I think we're -- we're giving too much authority to the Board of Regents, and one prime example is they just increased the tuition rate on the colleges without having input from this body, without

having the input from the students.

Now, that 5-percent increase will determine if people that look like me can attend college. And yet I didn't have an opportunity to say, you know what, I think that's unfair; we're increasing that tuition rate too high; let's have another conversation.

I understand that the colleges are struggling and that we do cut their funds, but damn, we have to find other solutions. We need to protect our students, and I don't think we're doing that. And for that reason, I'm voting against this bill.

Thank you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Will you remark further on this bill?

Representative Betts, of the 78th District.

REP. BETTS (78th):

Thank you, very much, Madam Speaker.

And if I could, I'd like to ask a question to the proponent of the bill.

DEPUTY SPEAKER RITTER:

Please proceed.

REP. BETTS (78th):

Thank you.

I read recently that the, that there had been

three names selected to be forwarded to the Governor for this position.

Through you, Madam Speaker, is that your understanding of what the status is right now for the selection process for the new president?

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Through you, Madam Speaker, the process right now is still under the existing statute, so they're following the process of the law as it stands today. But the intent is to wait for the passage of this bill before a decision is made or rendered.

DEPUTY SPEAKER RITTER:

Representative Betts.

REP. BETTS (78th):

I thank you for that answer but that's precisely what my concern is. We could end up passing this bill and it would be effective upon passage, but it is not -- if it's not taken up expeditiously, then we would be bound by the old system which led to the creation of this bill, and I, and I commend the committee for doing this, because clearly this is something I think the majority of us would really support rather than to

have the last system imposed.

I'm going to be voting against this because I don't really feel comfortable that -- that there's enough safeguards in here. And there have been enough questions raised that I would like to see us, if not in this bill, in other bills, try to address it, because we really don't want to have a repeat embarrassment of what happened before.

But it does concern me greatly that -- that the Governor, in fact, could make an appointment while this bill is being debated, either here or in the Senate, and before it gets to his desk. And that's why I'll be opposing it.

Thank you, so much, Madam Speaker.

DEPUTY SPEAKER RITTER:

Will you remark further?

Representative Miner.

REP. MINER (66th):

Thank you, Madam Speaker.

Madam Speaker, I've listened to the debate that has occurred already, and I actually had recognized that Representative Candelaria had voted against the bill, I think, in committee and didn't get a chance to speak with him, but I now understand the reason for

his opposition.

Serving on Appropriations, I think I -- I do get a sense of some of the conversation that's gone on that, more often than not, the Legislature is charged with funding some of these decisions, even though they've not been a party to any of the negotiation process.

And so, Madam Speaker, just so people are aware, Section 93 of the bill that we approved last week actually allows the same Board of Higher Regents to establish police forces outside of the DAS. So this is clearly a trend. I'm not sure if it's a good trend, but this is not the first time this year that we've actually taken action like this.

So I think Representative Cafero is quite right. We need to pay attention to some of these bills as they come out of committee. If this is a trend that we agree with, then -- then we're headed down the right path. But don't be surprised when we get left with a bill, left with hiring practices that may not be the way we handle everything else in the State of Connecticut.

Thank you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Thank you, Representative.

Will you remark further?

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Madam Speaker, for the second time, and I apologize for it, but a question by Representative Betts sort of triggered this response.

So is -- it's my understanding that if we pass this out of this Chamber, it is passed out of the Senate. Obviously, like all bills, it -- it would then await the Governor's signature. Should he choose to veto this bill, what would be the process at that point? Who would be able to hire the president of the Board of Regents? Who would be responsible for negotiating the -- the president's contract, et cetera?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Through you, Madam Speaker, it would be a process that follows the existing law, which would allow the Board of Regents to do the -- their recommendations. Well, would do the search, their recommendations, and

forward them to the board. They would still be involved in -- with the Governor's Office, as I understand it -- in consultation to look at the conditions of employment.

This bill changes that. It -- it, what it will do is use the same process that we now use for -- I was going to say University of Connecticut; I can't say that anymore -- UConn, that UConn uses for the selection of their president.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Madam Speaker, therefore, am I to understand that should the bill not go forward, should it be vetoed -- I understand the current process -- did I understand you to say, through you, Madam Speaker, that the Governor's Office would be charged with negotiating the terms of the contract? Is that correct?

Through you, Madam Speaker.

DEPUTY SPEAKER RITTER:

Representative Willis.

REP. WILLIS (64th):

Through you, Madam Speaker, no. It'd be my understanding that the Board of Regents would do the search and the employment conditions. I think it's also very important that the three candidates that are being reviewed right now, and considered, under consideration, would probably not take this position at all.

And, in fact, doing a recruitment process with the existing statute would pose a major challenge to the Board of Regents moving forward and selecting a president.

Thank you.

DEPUTY SPEAKER RITTER:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Madam Speaker.

I think the gentle lady has answered all of my questions.

I just had one that slipped my mind -- I'm getting there. I'm getting there, but what the heck was I going to ask? I -- I -- I'm sorry; I forgot, so I'll have to let it go.

Thank you.

DEPUTY SPEAKER RITTER:

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

If not, will staff and guests please come to the Well of the House. Will members please take their seats. The machine will be opened.

THE CLERK:

House of Representatives is voting by roll. The House of Representatives is voting by roll. Will members please return to the House, immediately.

DEPUTY SPEAKER RITTER:

Have all the members voted? Have all the members voted? Will the members please check the board to determine if your vote is properly cast?

If all the members have voted, the machine will be locked, and the Clerk will take a tally.

THE CLERK:

Thank you.

DEPUTY SPEAKER RITTER:

The Clerk will please announce the tally.

THE CLERK:

Bill Number 6648.

Total Number Voting 143

Necessary for Passage 72

Those voting Yea 129

Those voting Nay	14
Absent and not voting	8

DEPUTY SPEAKER RITTER:

The bill passes.

Are there any announcements?

Representative Terrie Wood.

REP. WOOD (141st):

Thank you, Madam Speaker.

I rise on a point of personal privilege to introduce the fifth grade classes at Ox Ridge School, in Darien. One of my favorite parts of being a Legislator is welcoming the fifth graders. They all study American History and Connecticut History, and being a proud participant in the democratic process, I hope to encourage that in them.

So I hope the Legislative body will give them a very warm welcome.

Thank you.

DEPUTY SPEAKER RITTER:

Will the Clerk please call Calendar Number 129.

THE CLERK:

Thank you.

On Page 14, Calendar Number 129, House Bill  
Number 5610, AN ACT CONCERNING THE ISSUANCE OF

**S - 654**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2013**

**VOL. 56  
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614 - 910**

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One additional go marking at this time, under "Favorable Reports," Calendar page 41, Calendar 344, Substitute for House Bill Number 6648, would mark that item as go and as the second order of the day.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I believe the clerk is also in possession of Senate Agenda Number 1 for today's session.

THE CHAIR:

Mr. Clerk?

THE CLERK:

Madam President, the clerk is in possession of Agenda Number 1, dated Thursday April 18, 2013. Copies have been distributed and are on Senators' desks.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

I move all items on Senate Agenda Number 1, dated Thursday April 18, 2013, to be acted upon as indicated and that the agenda be incorporated by reference in the Senate Journal and the Senate Transcript.

THE CHAIR:

All in favor?

SENATORS:

Aye.

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Total number of voting	36
Those voting Yea	36
Those voting Nay	3
Those absent and not voting	0

THE CHAIR:

It's my pleasure to say that this resolution is passed.

All right, all right, all right. Balcony? Thank you.

Okay, Mr. Clerk? You want to go back to the Calendar? Please, page 41.

THE CLERK:

On page 41, Calendar 344, Substitute for House Bill Number 668, AN ACT CONCERNING THE BOARD OF REGENTS FOR HIGHER EDUCATION, favorable report of the Committee on Higher Education.

HB 6648

THE CHAIR:

Okay, Senator, will you wait one moment please? We have a technical --

THE CHAIR:

Senator Bye.

SENATOR BYE:

Thank you, Madam President. I appreciate that technical problem.

I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Motion's on passage. Will you remark?

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SENATOR BYE:

Yes. Thank you, Madam President.

This bill, AN ACT CONCERNING THE BOARD OF REGENTS FOR HIGHER EDUCATION, changes the nexus of appointing and pretty much supervising the president of the Board of Regents from the Governor to the actual Board of Regents. Through you, Madam President.

THE CHAIR:

Will you remark further?

If seeing none -- will you remark, Senator Boucher?  
Oh, I'm sorry. Motion is on passage. Will you remark,

Senator Boucher?

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, I rise to support this bill and this amendment, but I also want to talk a little bit about how we got here and why we are doing this bill to begin with. The area of higher education has become very prominent in this country and along with that prominence and a great infusion of funding either from the taxpayer or state governments has created a very interesting and competitive environment for the presidents of these institutions. There's a great deal of competition in the education world for the chief presiding officer of an institution of higher learning. In some places there's also been some negative news headlines, as well, about executive or excessive compensation, extravagant benefit packages, and so forth.

And in Connecticut, unfortunately, we had an incident a few years back that actually caused the Legislature to entertain a consolidation of our higher education constituent units. The previous chancellor was also criticized, I might add, for excessive compensation so much so that they were forced to step down. In this case when we embarked upon this consolidation, there

was a great deal of hope that this would produce a great deal of savings but also an improved government structure, one that had transparency, accountability, and good oversight that was appeared to be lacking previously.

Unfortunately, that was not to pass -- to happen, and in fact, the first president of the new Board of Regents, which I might add the Committee on Higher Education did interview and have an informational session to discuss the various types of models of boards of regents in other states, and it became very apparent that Connecticut's process wasn't what it should be and needed to be changed because in most good models, the board of regents itself recruits, compensates, and supervises their president.

In this case, it almost was the cart before the horse, and we had a recruitment process to choose a new president of the Board of Regents before the Board of Regents had an opportunity to engage itself and become a part of that process. And that being said, when you have the chief-elected official of the state choosing the new president in a manner that wasn't transparent, with a contract that very few people knew about and with new legislation that required this new president to get permission from the Board of Regents for any additional compensation. And we all remember what happened next. Unfortunately, excessive compensation was the first order of the day, without approval from the Board of Regents and that quickly led to the unfortunate resignation of our new president.

In the process of recruiting a new president it became clear that that was going to be a troubled path because most presidents worth their salt, they're looking at a new position will look to make sure that they are able to have a contract that speaks to their capabilities and that is not coterminous necessarily with the political process but that is one depending on their own merit and where they come from. So in this case, with very little time left to the current term of a new president, just a year and a half, maybe two at most, and with a process that could essentially not be based on a person's performance but rather than a term, a political term, it became evident that it was going to really hamper the recruitment process and

certainly not have the kind of -- or numbers of candidates coming forward.

So the Higher Education Committee took it upon itself to put together this language. Luckily, it received the support of the Governor because they, in turn, saw that this was hampering their process, as well, to choose a new president of the college. So, in this case, this language clearly states that the Board of Regents will choose the president and, as well, that the term will not be based on a political term but, in fact, based on a contract that's negotiated between the Board and the candidate.

This is a very good thing. It really is because it's clear that there are issues that need better transparency and oversight. Things such as -- not just compensation, but things like unvouchered expense accounts that became a problem in the previous administration in a way that board members can check each other so that there's a system of checks and balances on the board itself, the Board of Regents, and that not one person, unilaterally, is making that decision but there's someone else and others that can review the language and have a discussion over it and make sure that they also use guidelines and benchmarks that other recruitment processes engage in other states, as well, and it's not done in secrecy.

I might add that the public has good reason to distrust the process because of some of the bad examples that they've seen and this, I think, will go a long way to helping because what is uppermost, I think, in our minds is that there's credibility and integrity and that the academic mission of our higher educational system is preserved and certainly improved. And our students and our taxpayers really demand this and they deserve this and I think that this language is certainly going to help in that regard given the very troubled road that the state has gone through in the last couple of years. I think they learned a lesson from this, and I think the result is this language that's before us today so I do support it.

Thank you, Madam President.

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THE CHAIR:

Thank you.

Will you remark? Will you remark?

If not -- oh, sorry, Senator Welch. I'm sorry, sir, I didn't recognize you.

SENATOR WELCH:

Thank you, Madam President. You're not the only one. But I'm glad you finally did recognize me.

I stand in opposition of this bill, and I do so because I think it is emblematic of a larger problem we have with respect to our relationship to higher ed in some of our state institutions and, that is, we don't have appropriate oversight now. There's all sorts of spending and budgeting of state funds that goes on that is not answerable to this body or the Governor for that matter and so I think that's a principle in and of itself we need to be thinking about and we need to change.

I mean, look, everybody in here is either married to or related or went to one of these institutions themselves. They all have a special place in our hearts or the hearts of our families, but I don't think -- I think we just need to be careful. And so I think this is a step in the wrong direction and that oversight of the Board of Regents by the Governor, by this body is appropriate.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark? Will you remark?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

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Madam President, if I could, through you, question to the proponent?

THE CHAIR:

Please proceed, sir.

SENATOR MCKINNEY:

Thank you.

Through you, Madam President, to Senator Bye, as I understand the language before us, it would be the Board of Regents who would pick the individual and then enter into a contract negotiation and then sign a contract; is that correct?

Through you.

THE CHAIR:

Senator Bye?

SENATOR BYE:

Yes, that is correct. Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

And through you, Madam President, are there any limitations on the length of the contract or the amount of money that could be offered?

Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

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Through you, Madam President, no, that would be at the Board's discretion as it is with the University of Connecticut.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

And through you, Madam President. Is it -- I understand that we've don't that traditionally with the University of Connecticut. I don't stand here and believe that that means it's right. Would there be anything prohibiting the Board of Regents from entering into say a 20-year contract with the next president?

Through you.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Madam President. No, there's nothing here but certainly best practices would not lead a board of any higher education institution or set of institutions to enter into such a long contract.

Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

And through you, Madam President, would those best practices -- what would those best practices be in terms of contracts?

THE CHAIR:

Senator Bye.

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SENATOR BYE:

Through you, Madam President. It's my understanding, looking at what's happened in other states and other universities that usually it's up to like a three-year contract at first, and after a first year, they may extend that but, generally, what boards do and I think the good Senator is getting at why this is moving from an individual decision to a board -- a deliberative Board decision. The Board would look and make its best judgment about the combination of needing someone to stay to move an institution to a improve and also an ability to get rid of a leader if things are not moving in a good direction so that's what a board balances but a board is a more deliberative body and that's why we're moving to this model.

Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

And through you, Madam President, if the board were to decide -- although I think we would agree, it would not be a rational decision -- but if the board were to decide to extend a ten-year contract at a million dollars a year to the next president of the Board of Regents with all other terms, perhaps, terms similar to the one to the prior to the president of the Board of Regents, who apparently did not have to be on the job every day, is there any ability for the Legislature or for the Executive Branch to undo such terms?

Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Madam President. No, not in those terms but the Legislature does oversee the budget, and if

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the Legislature or the Governor felt the Board was not being responsible with state appropriations, they could choose to cut the budget and exert influence that way.

Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Through you, Madam President. Wouldn't that, though - - I think you're right and that's what's troubling to me. If the Board were to make an unwise decision regarding, say, compensation, then the decision that we could make is to, perhaps, cut services or programs from the Board of Higher Education, perhaps, cut programs at Central Connecticut or Southern Connecticut or cut funding that would lead to higher tuition but I'm correct that, through you, Madam President, that we could not cut funding to change the funding of the contract of the next president.

Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Madam President. We can cut the funding, you're correct, but I think we have an example before us where a leader of the Board of Regents made some very poor decisions related to compensating employees and the Higher Education Committee did take a number of actions, this being one of them, to try and assure that this doesn't happen again, including other bills that do things like stop the ability to give unvouchered expenses, like a bill, that makes all higher ed institutions report to this General Assembly about executive compensation, not just about the leader but about all administrators so that this body could look at that. So, in the wake of challenges, this particular General Assembly is taking action so

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far at the committee process to try and assure that nothing like this happens again.

Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you.

And through you, Madam President, it is my understanding that the choice of the Board of Regents is not subject to the confirmation of the General Assembly; is that correct?

Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Madam President, yes, that is correct.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you. And I thank Senator Bye for answering my questions.

Madam President, I believe the clerk is in possession of an amendment, LCO Number 5832. I ask that he call the amendment and seek leave to summarize.

THE CHAIR:

Mr. Clerk?

THE CLERK:

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LCO Number 5832, Senate Amendment Schedule A. It is offered by Senators McKinney and Fasano.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

Madam President, I move adoption.

THE CHAIR:

The motion is on adoption. Will you remark, sir?

SENATOR MCKINNEY:

Thank you, Madam President.

This is a very simple amendment. It simply would say that the Board of Regents for Higher Education could not issue a contract greater than four years in length. Senator Bye is correct. In doing the limited research that I have done, best practices seem to indicate that contracts would be anywhere between three to five years, but there's no protection for the Legislature or more importantly for the taxpayers of the Board of Regents giving a contract beyond that.

And Senator Bye has correctly answered my question that if the Board of Regents wanted to engage in a ten-year contract we could do nothing to stop that and we would be legally obligated to pay those. It's not a surprise that the last president of the Board of Regents was a disaster. He was overpaid, the compensation was grotesque and he didn't perform his job. Now that turned out okay. But there are no protections for the taxpayers. There's no confirmation of the Legislature of this individual, and all I'm saying is that if best practices are three to five years, which I believe they are, this says that they can't award a contract for more than four years. If the gentlewoman or gentleman who is the next president of the Board of Regents performs extraordinarily well, I would expect the Board to

renew a contract. I cannot imagine -- I cannot imagine that an individual would turn down an extraordinary opportunity to be the president of the board of Regents of Higher Education for the State of Connecticut at a salary which we all know is going to be in the hundreds of thousands of dollars because they are limited to a four-year contract.

I would like to find that individual who was so qualified who would come up and say, "You know what, Connecticut? I can't do the job because you're only going to offer me a four-year contract," because that individual by that very statement is unqualified because of their greediness. So I see nothing harmful in this amendment. It simply ensures that best practices are followed and provides the only protection and guarantee we have for the taxpayers that the Board of Regents will not make a mistake.

And with that, Madam President, I would urge adoption and when the vote is taken, ask that the vote be taken by roll call.

THE CHAIR:

So ordered, sir.

Will you remark?

Senator Bye.

SENATOR BYE:

Thank you, Madam President.

I know that this amendment is offered in good faith and with good motivation, but I urge rejection. I would argue that the General Assembly oversees who is appointed to the Board of Regents and that we will pick those people appropriately and they will have the skills needed to serve as high quality Boards of Trustees.

Through you, Madam President.

Thank you.

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THE CHAIR:

Will you remark?

Senator Meyer.

SENATOR MEYER:

I'm not aware, in Connecticut, that we have contract terms for our highest members of the Executive Branch. Not that we can't start having that, but what bothers me about it, about the amendment, is that it probably locks in the president of the Board of Regents for four years, and I don't think that that's in the public interest necessarily. We've had commissioners and other high executives in the Executive Branch who have performed badly. We've changed commissioners of Department of Transportation almost one a year.

To lock in with a four-year contract a person of this high public office, I think is not wise and it's only for that reason that I would also oppose this amendment. Thank you.

THE CHAIR:

Will you remark?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President. I rise for a question to the proponent of the amendment, please.

THE CHAIR:

Senator McKinney, prepare yourself.

Please proceed, ma'am.

SENATOR BOUCHER:

Yes. Thank you, Madam President.

Through you, does this amendment preclude the Board of Regents from offering a contract that could be shorter in length?

Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

No, Senator Boucher. The intent is to limit the Board of Regents from offering a contract to no longer than four years. If best practices is three years, they can do that. If it's two years, they can do that as well. I would note, I believe one of the reasons for the change in the underlying bill is that there were applicants, who under the current rules, before it's changed, who expressed doubt about wanting to come forward to do a job that was coterminous with the appointment of the Governor given the fact that the Governor's term is only guaranteed for another two years. So I think best practices have demonstrated that a year or two is probably not likely, therefore, that cares for Senator Meyer's concern that they would not be offering a year or two, but this is limited to saying you can offer one-, two-, three-, or four-year contract. You just can't do longer.

Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Yes, thank you, Madam President.

And through you, further clarification if I could through the proponent of the amendment, Madam President, it is very clear that a contract could be offered for less than four years, not more than four. However, through you, Madam President, could this

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contract then be extended after the four-year term if the president happened to be doing an exemplary job?

Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Through you, the answer is yes, that would be a renegotiation and a new contract and the terms of that subsequent contract, similarly, could not be for more than four years.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

And I thank the proponent for those very clear answers to this particular amendment. I think it certainly the amendment raises some excellent, excellent points. It was very clear that having language that made this position coterminous with a gubernatorial term really restricted the number of applicants even wanting to come forward and apply for this kind of position. They were not interested in a position that it appeared so politically oriented or directed. And so for that, not to mention the troubled environment they would be stepping into and much repair of previous public opinion would have to be done so I do see the very positive intent. I do, also, understand the concern that there is very little oversight by the Legislature and even withstanding the comment by my very distinguished chairman of the Higher Education Committee that there are appointments from the Legislature on the Board of Regents. I might add that that is a very, very small number compared to the nine appointments through the Executive Branch. So we have an appointment process that has nine members from the Executive Branch appointment and only four from the Legislature.

I did have an amendment, as well, to change that number, but I did in deference and certainly respect for my co-chair's desire to move this bill forward as it is and to maybe entertain that amendment on another higher education bill this session because apparently there is a process already under way, and there's a possibility that we might have good candidates that are waiting for this legislation to get through the process so that they can be chosen or appointed that I would rather have seen that there were seven members from the Executive Branch and six members from the Legislature as appointments, adding both the Majority Leader of the Senate and the Majority Leader of the House to that list of appointments making it a better balance.

Certainly, more appointments by the Executive Branch, as it should be, but certainly a little bit more balance and that way we could have some assurance that there could be some more diversity of the individuals there, better oversight, more transparency and certainly more accountability in the individuals that would be certainly in a position, I might add, now they can clear see is a fairly public one. So that if something is going on with regards to compensation and benefits or the hours worked and the kinds of activities engaged, it would clearly be seen by all of us or whoever follows us here in the House and Senate. That being said, I think that this amendment deserves some consideration. I believe the intent is a very, very good one and I would support it. Thank you.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

If not, Mr. Clerk, will you call for a roll call vote on Amendment A, and the machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate on Senate Amendment Schedule A. Immediate roll call has been ordered in the Senate.

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THE CHAIR:

Have all members have voted. All members have voted.  
The machine will be closed.

Mr. Clerk, will you call a tally.

THE CLERK:

Senate Amendment Schedule A for House Bill 6648.

Total number of voting	36
Those voting Yea	14
Those voting Nay	22
Those absent and not voting	0

THE CHAIR:

Amendment fails.

Will you remark?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President. If I could, a couple of  
questions, through you, to Senator Bye.

THE CHAIR:

Please proceed, sir.

SENATOR MCKINNEY:

Thank you.

Senator Bye, if you could help me understand where we  
are in the process of finding a new president right  
now. It's my understanding -- and I only know this  
through what I read, which is -- well, I don't know it  
through what I read. Through you, Madam President,  
has the Board of Regents begun and is it currently

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undergoing a process of reviewing potential applicants to be the next President of the Board of Regents?

Through you.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Madam President. Thank you for the question, Senator McKinney.

Currently the Board of Regents, as a board, has been in the process of a search for a new president of the Board of Regents. They have come to three finalists for that position and those three finalists were sent on to the Governor in keeping with current statute. The Governor has said that we all would like this legislation to pass and leave that decision up to the Board of Regents about which of those three finalists should be the next leader of the Board of Regents for this critical work for our state on our workforce.

Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

And, through you, once this bill becomes law, in the future will the Board of Regents be coming to three finalists and submitting those to the Governor, as well, even though the Board of Regents gets to pick the president?

Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Yes, thank you for the question, Senator McKinney. In the future, the Board of Regents has sole authority over the hiring of the president of the Board of Regents but, as President Austin said to us when we had the public hearing on this bill, as they do with UConn, presidential finalists are sometimes one, sometimes two or three have always met with the sitting governor to get input from the governor because they'll be working closely on workforce development and higher education but the point of this bill is that the supervision and choice rests solely with the Board of Regents.

Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President. So then, perhaps, this is an unfair question but, perhaps, you could help me. Through you, Madam President, while I fully understand and respect the legal technicalities of what you've just said, if I were a cynical person, I would argue that we've gone from the Governor picking the person to the governor appointing the people who pick the person who then tell the governor who they're thinking about and come back and they choose. It seems to me that we've made technical changes but that the governor is still going to have an extraordinary influence and, if not, solely be picking the person will be picking the person that the Board of Regents picks.

Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Through you, Madam President. I appreciate your point of view, Senator McKinney, but it's my impression that the word "extraordinary" is strong. That, in fact, hopefully, unlike UConn, with the Board of Regents, the Legislature has a number of appointments and Senator Boucher was elaborating on a discussion that we had about should we add the majority leaders, each having an appointment as well. And we were also looking at how UConn appointed its board members and realized that 100 percent of those appointments are through the Governor. That said, this body also approves those members and, certainly, it's been my experience whether a Democrat or a Republican governor that the governor always tries to appoint the brightest most hard working committed people to those sorts of boards.

There are many, many people who would like to be on the UConn board and the board of the Board of Regents, very bright capable people. And that's the whole point of having a board. They have the strength of their board and their leader. In any state, the governor has a link to higher education but in the way that this is structured, the Board of Regents would have the say on who was hired and, I think, in good faith, our Committee operated with that as a principle that we thought was important and that's why we made the change. We wouldn't have simply changed the bill and not changed -- not want the outcome to change. We believe a deliberative body is different than an individual.

Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President. I appreciate the good Senator answering my questions.

Clearly, this is a better -- and I know other members in my caucus may want to speak. I didn't get up to speak last I just got up to ask Senator Bye questions. And my last question was just reflective of the fact

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that I think there are a lot of people who are cynical about whether we've really made the changes necessary to make. I don't, in any way, question your motive or motivations. I just think it's reflective of the fact that the first time it just turned out so horribly.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

Madam President, I would ask the Clerk to call LCO 5824, move the amendment and request permission to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 5824, Senate Amendment Scheduled B offered by Senator Fasano.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

Madam President, what this does and I know it just got onto the Internet so I'd like to take a moment or two to explain the purpose, is our higher education system is a great educational system here in the State of Connecticut. However, the feedback from that system, I believe, is lacking. In other words, there are

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certain performance standards we should look at to determine whether or not and what improvements we have to make to our system. In determining what that criteria is is difficult. So what this does, essentially, is, Madam President, is to create a task force to establish performance criteria. Some of the things that they would look at with respect to the school systems, look at total degrees attained, time spent in degree attainment, minority and low-income student degree attainment, student retention rates, progression of development to college level courses, issues regarding STEM and other high priority fields and administrative efficiency.

Madam President, and then it goes on to state who the people were -- or who should be appointed to this task force. Madam President, the point of it is that you need feedback in the system. Talking about low-income folks, talking about folks who need STEM training for the degrees that we need, all of this is relevant. And if we're going to continually spend money, as we should for higher education, we need to know where the weaknesses are and then enforce those weaknesses to make them our strengths. This justifies what we're doing, as a body, for the system. It justifies when we hear the complaints that tuition is getting more and more, we'd have a report on the administrative expenses. Doing this task force with the folks that are on this list that I think are all have a vested interest in our system, it makes sense.

So, Madam President, I submit this piece of legislation, this amendment, for the purpose of then going back to higher education, letting them review what the task force came up with and then make the appropriate changes from there. So, Madam President, I would urge adoption of this amendment.

Thank you.

THE CHAIR:

Motion is on adoption.

Senator Bye?

SENATOR BYE:

Thank you, Madam President.

And rather than simply say I urge rejection, I'd like to take a moment to say that there are many people around this circle who would agree with Senator Fasano's premise and agree with this idea that there are some ways to use performance funding to improve our outcomes in higher education. Indeed, the Governor submitted a plan for the scholarship dollars that we are going to, if we pass the bill, would use a performance funding model to incentivize full-time status to be targeted at low-income students and the longer they're in school, which means they're more likely to graduate, the more financial aid they would get. I think they're a lot of people here who agree with the premise -- including Senator Looney and I've had a conversation. Senator Boucher and I have had conversation so this is an idea and there are parts of this that we can all agree on.

But for the particular bill that we're talking about today which is trying to get us to hire -- to the point where we can hire a new president and I've heard from the CSUs and from the community colleges and Charter Oak State College that we need a leader. President Austin has done an amazing job standing in, as have others working with him, but we need to be looking forward. We need to hire a new president now. This bill is moving quickly so that we can do that. There are other bills that Senator Boucher and I'm sure others here would be willing to discuss with Senator Fasano, but for this amendment on this bill I have to urge rejection.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Boucher.

SENATOR BOUCHER:

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Thank you, Madam Chair.

I stand, actually, in support of this concept and this amendment and also to explain that there is a relationship between this underlying bill and this particular study that would really lend itself very well and become a very important tool for a new president of the system. There are so much in this bill and actually on the Higher Education Committee did have an informational meeting to discuss some of the underlying concepts of this bill and it is data that is critical to the improvement of our higher educational system.

Just as we speak about some of the negative economic indicators that are now being promulgated, in fact, there was even a press conference just the other day with David Waters who was the previous U.S. Comptroller along with our own University of Connecticut Economic Analysis Office that talked about the negative economic indicators. But in that report, they also pointed to our big outstanding positives. Of those outstanding positives, one of them was the numbers of excellent higher educational institutions as a competitive advantage and in order for us to maintain that position, we need the information that these indicators, these economic -- or that talk about what is going on, in fact, within our constituent units of higher education and have that data.

And part of their recommendation was get that data in that report. They challenged the State of Connecticut to actually do this type of analysis, have it at their fingertips, and use that for policy development, curriculum development, to elevate them because we have seen our K-12 system go from number one in the nation to number 16 and falling. We don't want that to happen to our institutions of higher ed. And even notwithstanding, the problems we've had with management and with our presidency of either the chancellor and now the Board of Regents, notwithstanding all of that, our constituents units are doing a phenomenal job. The elements work out there in Connecticut to educate our students, bring out new technologies, try to educate that labor force, which I might add, we're losing after we do such a great job of educating them.

This kind of information is critical to the new management and the new leader that is going to be chosen to lead this state and that would be a fabulous thing for them, him or her, to have as a tool to analyze where they should be moving the State of Connecticut. We have high hopes for them to have a vision that will catapult Connecticut even higher and help to retain our jobs and create new innovative technologies and businesses and start-ups that stay here, which I might add, that report for the benefit of my good colleague on the Commerce Committee said that we still have the greatest numbers of patents and innovative companies, but we don't keep them here. They don't grow here. They relocate themselves somewhere else. We can't keep doing that. So data is critical that report pointed it out. It couldn't be more timely, and I applaud my good colleague, Senator Fasano, for brining this issue back out although I know how difficult it is right now during this particular discussion but, again, I support this great amendment and this concept that we should start to employ here in Connecticut.

Thank you, madam President.

THE CHAIR:

Senator Bye, will you remark?

SENATOR BYE:

Madam President, once again, I urge rejection. I ask that if a vote is taken -- that when the vote is taken, it be taken by roll call.

THE CHAIR:

It will be ordered.

Will you remark? Will you remark?

Seeing none -- oh, I'm so sorry, Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

I just want to reiterate what the Chair of the committee has said. This is a good proposal that makes sense. It just doesn't belong on this particular bill, but we have other bills floating out there, right now, still in the process, and we'll try to find a way to make this happen.

Thank you.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

If not, Mr. Clerk, will you please call for a roll call vote, and the machine will be open on Amendment B.

THE CLERK:

Immediate roll call has been ordered in the Senate on Senate Amendment Scheduled B. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Can you call for another roll call vote, please, so it's loud enough because it wasn't heard outside, I think, at first.

THE CLERK:

Immediate roll call has been ordered in the Senate, voting Senate Amendment Scheduled B. Immediate roll call has been ordered in the Senate. Immediate roll call has been ordered in the Senate, voting Senate Amendment Scheduled B. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Have all members voted, all members voted? The machine will be closed.

Mr. Clerk, will you please call the tally.

THE CLERK:

Senate Amendment Schedule B for House Bill 6648.

Total Number Voting	36
Those voting Yea	14
Those voting Nay	22
Those absent and not voting	0

THE CHAIR:

The amendment fails.

Will you remark?

Senator Bye.

SENATOR BYE:

Thank you, Madam President.

Just as a follow-up back to the bill, I believe these amendments are offered in good faith and this conversation has been important, but this bill is really important for our higher education system to turn the page. Everyone in this body and, certainly, the residents of the state were very frustrated with what happened with the President of the Board of Regents and all that followed. But day in and day out the faculty have been going to work, working with the students and looking for new leadership. And what this bill will allow them to do is to see what's next, to have input with a new leader and to help our higher education system move forward in Connecticut. We rely on our bachelor's degrees and associate's degrees and certificates. 92,000 students attend the CSU, community college and Charter Oak State College system, and they need a leader. And passing this bill will allow us to turn a page, as a state, to take a step to improve the governance, and we will continue to look for other ways to support these systems.

And I just want to close by thanking all the employees of our university system and community colleges and Charter Oak State College because it's been -- this has all been very rough on them, and I want to thank them for their service to our students.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Just as a concluding remark, this is an important step, but I would underscore that it is just one step in a movement to a more opened, more transparent, more accountable process that has -- had a stain on it in the last couple of years. But it is just a step, and I hope that if the Board of Regents is listening, and we just did get an e-mail from the Board of Regents announcing their Audit Committee meeting which is a wonderful thing to have it be open and online -- this is super -- but when they meet, they also discuss making sure that they have a governance committee, a compensation committee; that they have an audit and finance committee that is independent of each other, and they -- they stick to the practice -- the best practices of good governance, and certainly, also, entertain conflict of interest policies, as well, so that we can improve the functioning in the process going forward. So for that I'll -- we all should be supporting this strongly, as this is a good step in the right direction.

Thank you, Madam President.

THE CHAIR:

Thank you.

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Will you remark? Will you remark?

If not, Mr. Clerk, will you please call for a roll call vote, and the machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.  
Immediate roll call has been ordered in the Senate.

THE CHAIR:

Have all members have voted, all members have voted?  
The machine will be closed.

Mr. Clerk, will you call the tally.

THE CLERK:

House Bill 6648.

Total Number Voting 36

Those voting Yea 28

Those voting Nay 8

Those absent and not voting 0

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, would yield the floor at this time if there are any members for announcements or points of personal privilege before asking that we stand at ease for a few moments as we will be preparing additional - additional go items.

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The Consent Calendar passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, a couple of additional items. First of all, on a matter adopted earlier today, Calendar 344, Substitute for House Bill Number 6648, would ask for a suspension for immediate transmittal of that item to the Governor.

THE CHAIR:

Seeing no objection so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, for a couple of -- of items for recommittals on the last -- near the end of the Calendar, Calendar page 52, under "Favorable Reports and Resolutions," Calendar 34, Senate Resolution Number 8, I would move to recommit that item to the Appropriations Committee.

THE CHAIR:

Seeing no objection so ordered.

SENATOR LOONEY:

And also, Madam President, Calendar 212, Senate Resolution Number 14, I move to recommit that item to the Education Committee.

THE CHAIR:

Seeing no objection so ordered.

SENATOR LOONEY:

Thank you, Madam President.