

LEGISLATIVE COMMITTEE MINUTES

SB24

Bill as Introduced

SB 24 - AS INTRODUCED

2021 SESSION

21-0443
10/06

SENATE BILL **24**

AN ACT relative to the Brewster Academy charter.

SPONSORS: Sen. Bradley, Dist 3; Rep. J. MacDonald, Carr. 6; Rep. Marsh, Carr. 8; Rep. Deshaies, Carr. 6

COMMITTEE: Education

ANALYSIS

This bill amends the charter of the Brewster Academy by increasing the membership on the Brewster Academy board of trustees. The bill also allows Brewster Academy to amend its charter in accordance with the provisions of RSA 292:7 governing the powers of voluntary corporations.

.....

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the Brewster Academy charter.

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

1 1 Brewster Academy; Composition and Election of Board of Trustees. Amend 1887, 167:3, as
2 amended by 1951, 333:1; 1953, 313:1; 1965, 455:1; 1975, 153:2; and 2010, 5:4 to read as follows:

3 SECT. 3. The board of trustees shall be composed of not less than nine nor more than [~~twenty-~~
4 ~~five~~] **thirty** members as fixed in Brewster Academy's bylaws, or in the absence of any such bylaw
5 provision, as from time to time expressly determined by resolution of the trustees. Not less than five
6 nor more than twenty-one members shall be elected members as hereinafter provided. Three of the
7 members of the board shall be three trustees under the seventh or residuary clause of the will of
8 John Brewster. The trustees under said will and their several successors in said trust under said
9 will shall each be members of the board of trustees of the Academy for so long as they severally
10 remain trustees under said will. One of the members of the board shall be a representative of the
11 Brewster Academy alumni association who shall serve for one year from the date of his or her
12 election. At each annual meeting approximately one-third of the trustees to be elected shall be
13 elected to serve for three years to succeed those whose terms then expire. The retiring members
14 shall be eligible for reelection but shall have no vote in such election. If a vacancy shall occur among
15 the aforesaid elected trustees or their successors or the trustee from the Brewster Academy alumni
16 association, the board of trustees may elect a trustee to serve for the unexpired balance of the
17 affected term. The head of the academy shall be selected by the board of trustees and may attend
18 meetings of the board of trustees but shall not have a vote therein.

19 2 Brewster Academy; Amendments to Charter. Notwithstanding any provision of law to the
20 contrary, the board of trustees of Brewster Academy may amend the charter of Brewster Academy in
21 accordance with the provisions of RSA 292:7.

22 3 Effective Date. This act shall take effect upon its passage.

CHAPTER 29
SB 24 - FINAL VERSION

2021 SESSION

21-0443
10/06

SENATE BILL **24**

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21-0443
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16 association, the board of trustees may elect a trustee to serve for the unexpired balance of the
17 affected term. The head of the academy shall be selected by the board of trustees and may attend
18 meetings of the board of trustees but shall not have a vote therein.

19 29:2 Brewster Academy; Amendments to Charter. Notwithstanding any provision of law to the
20 contrary, the board of trustees of Brewster Academy may amend the charter of Brewster Academy in
21 accordance with the provisions of RSA 292:7.

29:3 Effective Date. This act shall take effect upon its passage.

Approved: May 06, 2021
Effective Date: May 06, 2021

Committee Minutes

SENATE CALENDAR NOTICE

Education

Sen Ruth Ward, Chair
Sen Erin Hennessey, Vice Chair
Sen Denise Ricciardi, Member
Sen Jay Kahn, Member
Sen Suzanne Prentiss, Member

Date: January 7, 2021

HEARINGS

Tuesday	01/12/2021	
(Day)	(Date)	
Education	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	SB 24	relative to the Brewster Academy charter.
9:30 a.m.	SB 19	relative to the degree granting authority of Signum university.
9:45 a.m.	SB 20	relative to one year certificates of eligibility to teach.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/94252317947>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: 13126266799, 94252317947# or 19292056099, 94252317947#
4. Webinar ID: [942 5231 7947](https://www.zoom.us/j/94252317947)
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtriRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 24

Sen. Bradley

Rep. J. MacDonald

Rep. Marsh

Rep. Deshaies

SB 19

Sen. Ward

Sen. Carson

Sen. Ricciardi

Sen. Hennessey

Sen. Kahn

SB 20

Sen. Kahn

Sen. Ward

Sen. Watters

Ava Hawkes 271-4151

Ruth Ward
Chairman

Senate Education Committee

Ava Hawkes 271-4151

SB 24, relative to the Brewster Academy charter.

Hearing Date: January 12, 2021

Time Opened: 9:00 a.m.

Time Closed: 9:15 a.m.

Members of the Committee Present: Senators Ward, Hennessey, Ricciardi, Kahn and Prentiss

Members of the Committee Absent : None

Bill Analysis: This bill amends the charter of the Brewster Academy by increasing the membership on the Brewster Academy board of trustees. The bill also allows Brewster Academy to amend its charter in accordance with the provisions of RSA 292:7 governing the powers of voluntary corporations.

Sponsors:

Sen. Bradley

Rep. J. MacDonald

Rep. Marsh

Rep. Deshaies

Who supports the bill: Senator Jeb Bradley (Senate District 3), Representative Brodie Deshaies, Representative John MacDonald, Representative William Marsh, and Kristy Kerin (Associate Head of School, Brewster Academy)

Who opposes the bill: None

Who is neutral on the bill: None

Summary of testimony presented in support:

Senator Jeb Bradley - Senate District 3

- Senator Bradley introduced SB 24.
- This bill was filed last session (2020) and was one of the bills incorporated into a larger omnibus bill (HB 1234) that did not survive the process.
- This bill simply amends the charter of Brewster Academy so that they can make changes to their charter in accordance with the provisions of RSA 292:7. It increases the membership of Brewster Academy's board of trustees.
- As of current, the Academy must come before the legislature to make changes to their charter. They should not have to do that.

Kristy Kerin – Associate Head of School, Brewster Academy

- Brewster Academy celebrated its bicentennial last year. The original charter was granted by the NH General Court in June of 1820.
- Brewster Academy currently serves roughly 350 students from 23 states and 21 countries.
- 20% of their students are local, day-students and 80% are boarding students.
- One third of their students receive financial aid.
- Their mission is to prepare diverse thinkers for lives of purpose. They are committed to diversity in every sense of the word.
- Their board is a forward-thinking group including two current parents, ten former parents, four alumni, two grandparents and four friends of the academy.
- While their board is exceptional, there are composition issues that they hope this bill addresses.
- The first goal is to expand their board from 25 members to 30 members. The limit of 25 members has proven problematic in the past.
- The second goal is to eliminate a position held by the alumni association on the board. This position is no longer active and it no longer makes sense to maintain this position. They currently have alumni members on their board and plan to continue that tradition.
- The third goal is to allow the board of trustees to manage future amendments to its charter. This would free up the legislature's time and allow the academy to take a similar approach as Dartmouth College in 2003 and by Pinkerton Academy in 2011.

Representative Brodie Deshaies - Carroll, District 6

- Representative Deshaies vocalized his support of Brewster Academy being allowed to operate without having to appeal to the legislature when charter changes are needed.
- Supports freeing up the legislature's time and affording the academy independence when making charter decisions.
- This independence will better serve their students, their employees, and the community at-large. This will also encourage a stronger, more robust board of trustees.

Summary of testimony presented in opposition: None

Neutral Information Presented: None

amh

Date Hearing Report completed: January 15, 2021

Speakers

Name	Representing	Position	Testifying
Marsh William		Support	No
Kerin Kristy	Brewster Academy	Support	Yes
Bradley Jeb	SD 3	Support	Yes
Deshaies Brodie	Myself	Support	No
MacDonald Representative John	The Citizens of Carroll District 6	Support	No

Voting Sheets

Senate Education Committee
EXECUTIVE SESSION RECORD
2020-2021 Session

Bill # SB24

Hearing date: 11/2/21

Executive Session date: 11/2/21

Motion of: OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Hennessey

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Tuesday, January 19, 2021

THE COMMITTEE ON Education

to which was referred **SB 24**

AN ACT relative to the Brewster Academy charter.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Erin Hennessey
For the Committee

This bill amends the charter of the Brewster Academy by increasing the membership on the Brewster Academy board of trustees. The bill also allows Brewster Academy to amend its charter in accordance with the provisions of RSA 292:7 governing the powers of voluntary corporations.

Ava Hawkes 271-4151

FOR THE CONSENT CALENDAR

EDUCATION

SB 24, relative to the Brewster Academy charter.

Ought to Pass, Vote 5-0.

Senator Erin Hennessey for the committee.

This bill amends the charter of the Brewster Academy by increasing the membership on the Brewster Academy board of trustees. The bill also allows Brewster Academy to amend its charter in accordance with the provisions of RSA 292:7 governing the powers of voluntary corporations.

Docket of SB24

Docket Abbreviations

Bill Title: relative to the Brewster Academy charter.*Official Docket of SB24.:*

Date	Body	Description
1/5/2021	S	To Be Introduced 01/06/2021 and Referred to Education; SJ 2
1/7/2021	S	Remote Hearing: 01/12/2021, 09:00 am; Links to join the hearing can be found in the Senate Calendar; SC 6
1/21/2021	S	Committee Report: Ought to Pass, 02/04/2021; Vote 5-0; CC; SC 9
2/4/2021	S	Ought to Pass: RC 23Y-1N, MA; OT3rdg; 02/04/2021; SJ 3
3/10/2021	H	Introduced (in recess of) 02/25/2021 and referred to Education HJ 4 P. 48
3/17/2021	H	Public Hearing: 03/25/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/96421714087 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
3/30/2021	H	Committee Report: Ought to Pass (Vote 20-0; CC) HC 18 P. 8
4/7/2021	H	Ought to Pass: MA VV 04/07/2021 HJ 5 P. 11
4/7/2021	H	Reconsider (Rep. Osborne): MF VV 04/07/2021 HJ 5 P. 50
4/29/2021	H	Enrolled (in recess of) 04/09/2021 HJ 7 P. 101
4/29/2021	S	Enrolled RC 24Y-0N, MA, (In recess of 04/22/2021); SJ 13
5/10/2021	S	Signed by the Governor on 05/06/2021; Chapter 0029; Effective 05/06/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 24

Senate Committee: Education

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

as amended by the senate ___ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Committee Aide

Date

Senate Clerk's Office 