

Bill would exempt golf course employees from personnel system

Written by Marianne Goodland, Legislative reporter

Northeastern Junior College moved one step closer last Thursday, Feb. 10, to getting flexibility in dealing with hiring and recruitment for the new Northeastern 18 golf facility.

The House Finance Committee unanimously approved House Bill 1187, sponsored by Rep. Jerry Sonnenberg, R-Sterling. The bill would ensure that employees of the golf course, its restaurant and pro shop would be exempt from the state personnel system.

Northeastern 18, formerly the Pawnee Pines Country Club, was given to the college in November 2009, a gift of Frank Walsh and his son, Bill, who purchased the club from its previous owners.

The golf course officially began its operations on Feb. 14, 2010. The donation also included \$300,000 in cash to ensure the college did not have to suffer from any financial losses in its first year of operation. The facility is categorized as an auxiliary enterprise under state law, which means it must be self-supporting and cannot rely on taxpayer funding.

Northeastern 18 began its existence as the Sterling Country Club in 1922, according to an August 2010 article on the changeover in ownership in Colorado Avid Golfer. The club was considered to be the top golf club on the Eastern Plains throughout much of its history, as well as the “town’s premier social institution.” Its annual Labor Day Invitational has included champions such as 1996 U.S. Open Champion Steve Jones of Yuma, “the Eastern Plains’ greatest golfer.”

As a property of NJC, the 160-acre facility will continue to host the annual tournament, but it will also serve as the basis for an academic program in culinary arts and turf management and men’s and women’s golf teams.

“We envision opportunities for business, agriculture and the arts at our new facility,” said NJC President Lance Bolton in a 2009 announcement.

But re-opening Northeastern 18 has not been without a few bumps in the road. Sonnenberg told the finance committee the college has hired temporary employees—cooks and waitresses, for example—who are under contract and not part of the state personnel system. However, NJC is under the state personnel system, and the temporary employees can only be hired for six

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months at a time under contract, according to state law.

The college used a third-party to operate the facility until last October, according to Bolton, who testified for the bill on Feb. 10.

Bolton told the committee that using a third-party operator left the college with very little control over the facility, which experienced “considerable losses” in its first year of operation. In fact, Bolton said the facility turned its first profit just in January—\$216, he said—which he called “thrilling” for a slow month.

The contracts for those temporary employees are due to expire soon, Bolton said, and the college has just two options: let them go or convert the positions to classified, which would put them under the state personnel system. Currently, there are about 33 employees working at the course, he said; two are management, 16 are student workers, and the rest are temporary. Many of those are part-time employees who work at the facility to supplement their income, he said.

HB 1187 would categorize all of those positions as exempt from the personnel system, and it would apply only to those positions and no others at NJC.

While college presidents, under state statutes, have the ability to exempt positions, these are not the kind of positions that could be exempted by the president, Sonnenberg told the committee.

“We look at this similar to any other restaurant, and we do not want to create a disadvantage for hiring and recruiting,” Sonnenberg said. Turnover at the restaurant has been high, Bolton said, more than is typical on a college campus but typical for a restaurant.

In response to committee questions, Bolton said eventually, the college hopes to use half of the profits from Northeastern 18 to pay for continuing education and professional development for NJC faculty and staff.

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Time is now of the essence, according to Sonnenberg. The bill contains a “safety clause,” which means the law goes into effect immediately upon the signature of the governor. Sonnenberg took a jibe or two from Democrats on the committee who pointed out that he generally opposes the use of safety clauses in bills.

“I always ask the same question (why a safety clause is necessary),” Sonnenberg said in response, and he briefly entertained a suggestion that it be removed. That could have delayed the law’s implementation by as much as 90 days after the governor’s signature. But Sonnenberg later said that while the safety clause is abused, it was necessary for HB 1187 since “the busy season” is coming and the contracts are about to expire for the current temporary employees. “I don’t want to see my caddie go,” he said, laughing.

HB 1187 now moves to the full House for debate. It will be carried in the Senate by Sen. Greg Brophy, R-Wray.

On Feb. 14, Sonnenberg’s HB 1111, which seeks to protect the confidentiality of livestock data, was scheduled for a final vote in the House Agriculture, Livestock and Natural Resources Committee, which he chairs. On Thursday, Feb. 17, he was scheduled to seek approval from the House Finance Committee for HB 1005, which would repeal the 2010 bill that lifted tax exemptions for agricultural compounds, pesticides and bull semen.

Bills that would balance the 2010-11 state general fund budget have now been introduced in the Senate. Rep. Jon Becker, R-Fort Morgan, is one of the six members on the Joint Budget Committee that authored the 30 bills, known as supplementals, that will cover a \$216 million gap in the 2010-11 budget.

State law requires the state government’s budget to be balanced every year. The 30 supplementals include budget adjustments for all 19 state agencies and a transfer of \$118 million from the state’s general fund reserve to the general fund budget. That reserve is statutorily set at four percent of the general fund, but the JBC decided to reduce it down to 2.3 percent with the transfer. The last 2.3 percent is left for the governor to cover any shortfalls that take place after the end of the legislative session through the end of the fiscal year (June 30), but by law the general fund reserve must be restored at some point to its four percent level every year.

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Another \$103 million will come from cash transfers from a variety of sources. That includes \$5 million from a Department of Natural Resources fund (the Perpetual Base Account) that provides grants and loans for water projects.

In December, DNR representatives told the JBC that further large transfers from the base account and from the Colorado Water Conservation Board Construction Fund would limit money available for water projects. The JBC staff had proposed a transfer of more than \$100 million, but in the end the committee voted to transfer only \$5 million. The CWCB and perpetual base accounts had already been tapped for more than \$100 million to help shore up the 2009-10 and 2010-11 budgets.

Long-term, the CWCB projects the state will need about \$2 billion in water projects to stave off a major water shortage by 2050. "Without State funding, many proposed projects cannot move forward and cities will be forced to buy water from farmers, thus drying-up even more agriculture land and threatening not only Colorado's food supply, but its rich agricultural economy," a DNR hearing document said.

General funds come from personal and corporate income tax and sales tax revenues, and cover specified operations in state government.