The ink has dried on the Legislature’s budget, the Governor’s vetoes have been issued, and all of this year’s bills have been signed. In other words, the 2004 Legislative Session has officially come to a close.

The Legislature adjourned within its allotted sixty-day session on April 30, and the Governor, after vetoing $354 million worth of projects, signed the state’s 2005 budget into law on May 28th. Again this year, Florida State University did not escape the Governor’s veto pen. Most noticeably, our Governor erased $17.5 million worth of capital-outlay projects from the $52 million the Legislature appropriated for FSU (see related story).

Of the bills the SUS championed this year, most did not pass, including one that addressed excess hours at public universities, and another that would have allowed buildings on university campuses to be named for living persons. (FYI: A bill that would have allowed Florida community colleges to offer 4-year degrees in certain areas was among those that did not pass.)

Legislation of local interest that did pass included a bill that gives FSU jurisdiction over the Tallahassee-Leon County Civic Center, and another that corrects glitches to the 2002 School Code Rewrite bill. A bill mandating that a U.S. flag be displayed in every K-20 classroom in Florida also passed. For an overview of all the bills relevant to the SUS that passed this year, as well as those that died, please see the Spotlight on Bills section of this newsletter.

Depending on the outcome of the November election, of course, the next head of the Florida House of Representatives will be Representative Allen Bense (R - Panama City, FSU alumnus), and the Senate President will be Senator Tom Lee (R - Brandon).

This will be the final LegisLetter for this year. Please feel free, however, to contact me if you have questions about bills, either past or upcoming, or the legislative process. I can be reached at kdaly@govrel.fsu.edu or at (850) 644-4453.

Kathleen

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**Budget Highlights**

**2004 Legislative Session**

The Legislature approved the State’s $58 billion budget on Friday, April 30. Florida State University received an 8.98% increase over last year. Below is a summary of funds included in the 2004-05 spending plan:

<table>
<thead>
<tr>
<th>Item / Category</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Increase to universities</td>
<td>$405.5 million</td>
</tr>
<tr>
<td>Increase to FSU</td>
<td>$32,652,210</td>
</tr>
<tr>
<td>FSU Base General Revenue And Lottery</td>
<td>$255,190,035 E &amp; G/Financial Aid</td>
</tr>
<tr>
<td></td>
<td>$17,495,454 Lottery</td>
</tr>
<tr>
<td></td>
<td>$121,336,024 Student Fees</td>
</tr>
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<td></td>
<td>$2,390,340 Operations &amp; Maint.</td>
</tr>
<tr>
<td></td>
<td>$396,411,853</td>
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<tr>
<td>Florida Center for Reading Research</td>
<td>$1,593,600 recurring GR</td>
</tr>
<tr>
<td>Tuition In-state</td>
<td></td>
</tr>
<tr>
<td>7.5% undergraduate</td>
<td></td>
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<tr>
<td>12.5% all levels all other levels</td>
<td></td>
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<tr>
<td>Enrollment Growth</td>
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<tr>
<td>Medical School</td>
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<tr>
<td>School of Chiropractic</td>
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<tr>
<td>Challenge Grants</td>
<td></td>
</tr>
<tr>
<td>Courtelis Facilities - FSU</td>
<td>$150,000</td>
</tr>
<tr>
<td>Public Broadcasting</td>
<td></td>
</tr>
<tr>
<td>Florida Diagnostic &amp; Learning Resources Center - FSU</td>
<td>$594,558</td>
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<td>Autism Program - FSU</td>
<td>$816,666</td>
</tr>
<tr>
<td>Ringling Museum</td>
<td>$2,256,000</td>
</tr>
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<td>Florida Channel</td>
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</tbody>
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Budget Highlights Cont.

Facilities — PECO

National High Magnetic Laboratory / UF Brain Institute $10,000,000 non-recurring
Utilities / Infrastructure / Capital Renewal / Roofs $6,000,000
Building Envelope Improvements $250,000
Life Sciences Teaching and ResearchCtr. $25,000,000
Panama City Academic Building $5,750,000

Peco projects vetoed by the Governor

Land Acquisition $5,000,000
Isabelle Collier Reed Facility $5,000,000
Psychology Center $5,000,000
Panama City Campus Expansion $2,525,000

SUS Items

Bright Futures $269,461,369

Pay Package

In lieu of salary increases, all State University employees will receive a non-recurring one-time lump sum bonus payment of $1,000 which includes applicable taxes and withholding effective December 1, 2004.

Health Insurance

Employee’s share of health insurance premiums and co-pays will continue at the same rate.

Bills that Passed

SB 124, Domestic Security Initiatives Chief, by Senator Paula Dockery, (R- Lakeland), requires security assessments of all buildings, facilities, & structures owned or occupied by state agencies, state universities & community colleges, by employees & within existing resources of same. The bill requires completion of initial security assessments by November 1, 2004 and subsequent security assessments due annually on November 1. Becomes effective upon becoming law. Chapter No. 2004-258

SB 340, School Code Rewrite Corrections, by Senator Lee Constantine (R- Altamonte Springs), university glitch issues included in the bill are; direct deposit, deferred comp., workers comp insurance, consolidation of equipment financing, Uniform Management of Institutional Funds Act (UMIFA), and, student government oversight. Becomes effective upon becoming law. Chapter No. 2004-41

SB 354, Public School Education Instruction, by Senator Lee Constantine (R- Altamonte Springs), requires study of academic performance of middle grade students & schools with recommendations for increase in performance with consultation with the Florida Center for Reading Research at FSU; requires DOE to conduct study on physical education in public schools; requires school improvement plan to include rigorous reading requirement if applicable; requires school districts to implement mandatory physical education and provides for study by a public university. Becomes effective upon becoming law. Chapter No. 2004-255

SB 364, Accelerated HS Graduation Options by Senator Lee Constantine (R-Altamonte Springs), amends requirements applicable to selection of accelerated high school graduation option; amends required courses for 3-year standard college preparatory program; deletes provisions authorizing student to select 3-year standard career preparatory program; revises requirements for grades that must be earned to participate in accelerated program; and, provides for default to standard graduation requirements. Effective July 1, 2004. Chapter No. 2004-42

HB 1159, Tallahassee-Leon County Civic Center, by Representative Loranne Ausley (D-Tallahassee), codifies, amends, repeals, & re-enacts Tallahassee-Leon Co. Civic Center Authority’s special acts; provides for planning, developing, operating, & maintaining comprehensive complex of civic, governmental, educational, recreational, convention, & entertainment facilities; provides for issuance of bonds; provides for rights & remedies of bondholders; names Tallahassee-Leon Co. Civic Center, etc. Effective upon becoming law.

HB 1757, Carey Baker Freedom Flag Act by Representative Bev Kilmer (R-Marianna), provides popular name; requires flag of U.S. to be displayed in each classroom in public K-20 educational institutions, requires university presidents to seek donations prior to requesting funds from UBOT. Flags must be 2’ X 3’ and made in the U.S.A. Must comply by August 1, 2005. Effective July 1, 2004. Chapter No. 2004-283

HB 1867, Education Funding by Representative David Simmons (R-Altamonte Springs), requires school districts to establish certain policies & procedures regarding lottery fund enhancements; authorizes outsourcing of statewide assessment program activities; specifies maximum fee waiver percentage for school districts & community colleges; provides standards & training for substitute teachers; authorizes use of Dale Hickam Excellent Teaching Program funds for certain purposes, and, exempts lab schools from paying overhead costs. Effective July 1, 2004. Approved without signature on May 28, 2004.

SB 2002, Health Care Initiatives by Senator Durell Peadan, Jr., (R-Crestview), authorizes DOH to issue chiropractic medicine faculty certificate for certain faculty who have accepted appointment at publicly funded state university or college; authorizes chiropractic medicine degree program at FSU; renames Fla. Alzheimer’s Center & Research Institute as Johnnie B. Byrd, Sr., Alzheimer’s Center & Research Institute; designates Life Sciences Bldg. at FSU as “James E. ’Jim’ King, Jr., Bldg.”; creates Florida Cancer Council, etc. Chapter No. 2004-2, effective upon becoming law except as otherwise provided.

SB 2230, FRS/Payroll Contribution Rates, by the Governmental Oversight & Productivity Committee, revises payroll contribution rates for membership classes of FRS for state fiscal years effective July 1, 2004, & July 1, 2005. Additionally, the bill revises payroll contribution rates for the Institute of Food & Agricultural Sciences effective through June 30, 2005 and reduces the fee imposed for cost of administration. Effective July 1, 2004.

SB 2038, Insurance by Senator Mike Fasano (R-New Port Richey), requires Consumer Services Div. of Financial Services Dept. to designate employee as primary contact for consumers on issues involving sinkholes; authorizes dept. to issue order of conditional release from stop-work order if employer complies with coverage requirements & penalty payment agreement; provides that local govt. self-insurance fund comply with specified provisions, and, requires study by the FSU College of Business. Effective July 1, 2004 except as otherwise provided.

SB 2696, Insurance/Public Construction by Senator Jeff Atwater (R-North Palm Beach), defines terms; limits authority of certain...
public agencies to purchase owner-controlled insurance programs for public construction projects; establishes purchase requirements; requires insurers issuing commercial general liability policies to offer coverage for completed operations liability for certain contractors to extent that coverage is not provided under owner-controlled insurance program, etc. Effective October 1, 2004

SB 2810, State University Athletic Fees, by Senator J.D. Alexander (R-Lake Wales), authorizes fee increase to defray costs of changing competitive divisions; provides that increase may exceed limit on fee increases; limits such increase to not more than $2 per credit hour; requires that such increase be approved by athletic fee committee. Effective upon becoming law.

SB 2986, Education Personnel, by Senator Lee Constantine (R-Altamonte Springs), provides that postsecondary institutions that are accredited or approved by Department of Education rule may seek approval to create educator preparation institutes, requires educator preparation institutes to take students through the completion of the required exams. Additionally, each institute shall submit employer satisfaction surveys designed to measure the sufficient preparation of the educator to enter the classroom. These surveys shall be used by DOE for purposes of continued approval of programs. Effective upon becoming law.

SB 2994, Financial Services Department by Senator Bill Posey (R-Rockledge), authorizes Chief Financial Officer to provide certain services on a fee basis under certain circumstances; revises collateral safekeeping requirements; provides that regulation of certain viatical settlement agreements & providers is within exclusive jurisdiction of Insurance Regulation Office under specified provisions; revises reporting requirements for unclaimed property, and, requires study by the FSU College of Business. Effective July 1, 2004.

Other bills of interest that passed

SB 540, Manatee Protection, by Senator Mike Bennett (R-Bradenton), creates exception from penalties for activities that are otherwise prohibited if activity is reasonably necessary in order to prevent loss of human life or vessel in distress or to render necessary assistance to persons or vessel in distress; requires Fish & Wildlife Conservation Comm. to implement enhanced manatee protection study; provides goals for said research re: decisions based on sound science-based policies, and provides for study by a state university. Effective July 1, 2004.

SB 1226, Long-term-care Service Delivery, Senator Mike Fasano (R-New Port Richey), requires Eldery Affairs Dept. to report to Governor & Legislature results of department’s monitoring of activities of area agencies on aging; requires said dept. & AHCA to develop integrated long-term-care service-delivery system; requires pilot projects for aging resource centers. Effective upon becoming law.

SB 1604, Military Affairs, by Senator Mike Fasano (R-New Port Richey), revises certain requirements re: scholarships for children of deceased veterans; revises eligibility requirements for military dependents applying for John M. McKay Scholarship, etc. Effective upon becoming law. Chapter No. 2004-230

SB 1650, State Financial Matters/FRS by Senator Stephen Wise (R-Jacksonville), provides that spouse at time of FRS participant’s death is considered beneficiary for purposes of retiree health insurance subsidy unless different beneficiary has been designated; prescribes obligation of system employers to communicate existence of both retirement plans; provides that expenditures for acquisition for private equity or other private investment partnerships shall be included in cost of investment, etc. Effective July 1, 2004. Chapter No. 2004-71

SB 2020, Specialty License Plates by Senator Charlie Clary (R-Destin), increases annual use fee for Florida educational license plate; creates several special interest license plates, and, requires the department to discontinue a specialty license plate if the number of valid registrations falls below 1,000 for 12 consecutive months. Effective July 1, 2004.

Bills that failed

HB 85, Sunshine Security Act, by Representative Mitch Needelman (R-Palm Bay), creates the Law Enforcement Agency Consolidation Task Force within the Governor’s office to study and make recommendations on the effects of consolidating law enforcement functions in state agencies and commissions under a unified command.

SB 174 Lottery/Unclaimed Prize Money, by Senator Charlie Clary (R-Destin) and HB 37 by Representative Charlie Justice (D-St. Petersburg), distributes unclaimed prize money to public schools, community colleges and universities on a pro rata basis based on enrollment.

HB 217, Retirement Credit/Nonqualified Service, by Representative Shelley Vana (D-West Palm Beach) and SB 240, by Senator Jeffery Atwater (R-North Palm Beach), provides the purchase of retirement credit for nonqualified serviced.

SB 236, Sales Tax/Box Seat/Skybox/Luxury Box, by Senator Bill Posey, (R-Rockledge) and HB 1563, by Representative Ralph Poppell (R-Titusville), repeals the exemption from tax on rental or license fees of skybox, luxury box, or other box seats during high school or college football game.

HB 241, Postsecondary Student Fees/Migrants, by Representative Bill Galvano (R-Bradenton) and SB 1182 by Senator Mike Bennett (R-Bradenton), provides an exemption for dependent children of migrant farm workers from payment of nonresident tuition and out-of-state fees.

SB 286, Retirement Division/Transfer, by Senator Mike Bennett (R-Bradenton) and HB 587 by Representative Carl Domino, included the State University System Optional Retirement Program.

HB 303, Postsecondary Education Access, by Representative Stan Mayfield (R-Vero Beach) and SB 2578, by Senator Alex Diaz de la Portilla, (R-Miami), redesignates Chipola Junior College, Miami-Dade Community College and Okaloosa-Walton Community College as Chipola College, Miami-Dade College and Okaloosa-Walton College, respectively, to conform to changes made by act. The Bill also provides requirements for boards of trustees of community colleges authorized to grant baccalaureate degrees, prohibits community college from terminating associate degree programs as result of offering baccalaureate programs and, requires revisions for proposal by community college to deliver said degree program.

HB 327, University Building Designations, by Representative Loranne Ausley (D-Tallahassee) and SB 714 by Senator Al Lawson, (D-Tallahassee, Alumnus), names facilities on state university campuses.

HB 341, Student Financial Assistance, by Representative Dick Kravitz (R-Orange Park) and SB 1724 by Senator Stephen Wise (R-Jacksonville), provides legislative intent to expand access to postsecondary education and reduce student indebtedness. The bill requires each state university & community college to report information pertaining to certain funds used to provide financial assistance to certain students and prohibits the use of such funds to provide financial assistance to specified foreign students.

SB 412 Resident Status for Tuition Purposes, by Senator Larcenia Bullard, (D-Miami) and HB 119 by Representative Juan Zapata, (R-Miami) provides state resident status for active duty members of a foreign nation’s military who are serving as liaison officers and are residing or stationed in this state, and their spouses and dependent children, attending a community college or state university within 50 miles of the military establishment where they are stationed.

HB 483, Per Diem and Travel Expenses by Representative Loranne Ausley (D-Tallahassee) and SB 1904 by Senator Al Lawson (D-Tallahassee, Alumnus) increases the per diem and travel expense ranges for public employees.
SB 544, Local Government Prompt Pay Act by Senator Mike Bennett (R- Bradenton) and HB 487 by Representative Ron Reagan (R-Sarasota), relates to timely payment for purchases of construction services, revises deadlines for payment, provides procedures for project closeout and payment, and revises deadlines for the payment of subcontractors, sub-subcontractors, materialmen, and suppliers on construction contracts for public projects.

HB 663, Retiree Health Insurance/FRS, by Representative Suzanne Kosmas (D-New Smyrna Beach) and SB 2204 by Senator Al Lawson (D-Tallahassee, Alumnus) increases the monthly benefit amount of health insurance subsidy payment for retirees of the PEORP program.

HB 885 FRS and DROP by Representative Mike Davis (R-Naples) and SB 1556 by Senator Debbie Wasserman Schultz (D-Pembroke Pines), revises the time limitations on rehiring certain community college, state university and Florida School for Deaf and Blind employees and extends participation in DROP for K-20 employees receiving administrative authorization.

HB 1049, Specialty License Plates by Representative Greg Evers (R - Milton) and SB 2214 by Senator Evelyn Lynn (R - Ormond Beach), revises the requirements to establish a specialty license plate and requires a certain number be sold prior to requesting legislative approval.

SB 1182, Postsecondary Student Fees/Migrants by Senator Michael Bennett (R - Bradenton) and HB 241 by Representative Bill Galvano (R - Bradenton), provides that dependent children of active duty members of U.S. Armed Services are classified as residents for tuition purposes and exemption from payment of nonresident tuition. Additionally, the provides that certain dependent children of migrant farm-workers are exempt from out-of-state tuition and fees.

SB 1218, Student Social Security Numbers, by Senator Dave Aronberg (D-Greenacres) and HB 229, by Representative Nan Rich (D-Sunrise), prohibits certain uses of student’s social security number by state universities, community colleges, & public postsecondary technical centers and requires review of policies and procedures to annually document compliance in a report to the Board of Governors.

HB 1781, University Policies, by the House Education K-20 Committee and SBY 2884 by Senator Lisa Carlton (R-Osprey), establishes tuition policies for excess hours and non-degree seeking students, block tuition, major gifts. Additionally it deletes caps on certain fees and authorizes a technology fee.

SB 2512, Service Charge On General Revenue by Senator Tom Lee (R-Bradenton) applies uniform service charge to income deposited into all trust funds of state; exempts trust fund income from service charge if moneys are subject to certain investment or bond requirements or held by state, includes university concurrency trust fund.

SB 2948, Sovereign Immunity/Medical Schools, by Senator Gwen Margolis (D-Miami Beach) and HB 1639, by Representative Marcelo Llorente, (R-Miami, Alumnus), provides sovereign immunity to certain colleges, universities and medical schools that provide patient services to publicly-funded patients in public hospitals and to employees of those entities.

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Thanks Again!

The Office of Governmental Relations would like to express its gratitude for the support received from the Legislative Liaison’s Committee members. These important members of our team contributed much hard work and patience during the 2004 Legislative Session.

Anne Blankenship Academic Affairs
Ralph Alvarez Budget and Analysis
Val Auzenne Richard Faculty Senate
Terry Fulcher Finance & Administration
Janet Patten Magnet Lab
Beth Hodges Office of Research
Mary Coburn Student Affairs
Dawn Randle University Relations
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Steve Adamick Physical Plant
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