



Volume **19** | Number **3** | January 23, 2012

**T**he heat turns up a notch this week, the third of the 60-day session, as legislators begin budget discussions on the first draft of redrawn Congressional and legislative district maps. The House Redistricting Committee is set to vote on maps for its members and Florida's congressional delegation on Friday, setting the stage for debate next week by the full chamber.

Last week, the House released its budget allocations for the coming fiscal year but the Senate, moving at a deliberately slower pace, did not. Senators say they have concerns about settling on a budget as soon as early March, which is when the regular session should end, but none the less plan to discuss the budget this week at the subcommittee level (see related story).

Bills impacting state universities continue to be introduced three weeks into the session. Among them is one barring members of the legislature from working for public colleges or state universities, which the Senate Rules Committee's Ethics and Elections Subcommittee will hear today. This bill would affect a few current legislators including Rep. Michelle Rehwinkel-Vasilinda (D- Tallahassee) and Rep. Marti Coley (R-Marianna), both members of the Seminole Legislative Caucus.

Another bill, which was filed Friday night by the House Higher Education Appropriations Committee, combines into one entity the Florida Center for Library Automation, the College Center for Library Automation, the Florida Distance Learning Consortium and Florida's Academic Counseling and Tracking for Students (FACTS). The bill would also gradually raise the GPA threshold for students receiving Bright Futures scholarships and redefine the term "excess hours" in statute (see Spotlight on Bills).

The national political spotlight turns to Florida this week because of the presidential primary scheduled for January 31. The remaining Republican presidential candidates will participate in nationally televised debates in Tampa and Jacksonville this week, feverishly campaign throughout the state, and some of them may even make stops on FSU campuses.

As always, please feel free to contact me about issues that may concern you, or to request copies of bills and their analysis. I can be reached at **(850) 644-4453** or **kdaly@fsu.edu**.

*Kathleen*

# Budget Allocation Released

Budget allocations – numbers that indicate how much each legislative chamber wants to spend in different areas of state government – were released by the House last week. The Senate, however, did not release its funding numbers yet, but still plans this week to begin budget discussions without these monetary guidelines.

Speaker of the House Dean Cannon (R-Winter Park) has proposed an allocation

of \$3.8 billion in general revenue and lottery funds for higher education, which includes the State University System, the State College System, the Board of Governors and other higher-ed entities. By comparison, the current fiscal year's appropriation is \$4.05 billion, which means next year's allocation would be lowered by about \$250 million.

An exact amount designated to the State University System budget has not yet

been released but last year the SUS received about 49 percent of general revenue and lottery monies. If the system receives roughly the same percentage this year, the reduction on the House side would total approximately \$121 million.

This is the first pass at crafting a state budget for the coming year. Considerations for higher education such as possible tuition increases and other factors have yet to be discussed.

## SPOTLIGHT ON **BILLS**

**SB 828 -- Faith-based Post-secondary Institutions by Senator Stephen Wise (R – Jacksonville)**, eliminates the exemption for faith-based postsecondary institutions that are currently exempt from licensure by the Commission for Independent Education, but does not require these institutions to be licensed. Rather, postsecondary, faith-based institutions whose students do not receive federal or state financial aid, except for veterans benefits, and institutions accredited by an agency that is not recognized by the United States Department of Education (U.S. DOE) could operate outside the scheme of licensure if they provided a sworn compliance statement to the Office of Independent Education and Parental Choice within the Florida Department of Education (DOE). Thus faith-based postsecondary institutions would report to a K-12 office instead of a post-secondary office. The bill requires the DOE to post the affidavit and a list of institutions on the Internet. The bill is scheduled for a hearing in the Higher Education Committee on Wednesday. A similar bill in the House, **HB 925 by Representative Mike Weinstein (R – Orange Park, FSU Alum)** is now in the K-20 Innovation Subcommittee.

**SB 1156, State University System Student Fees, by Senator Anitere Flores (R – Miami)**, Prohibits the sum of the Capital Improvement Trust Fund fee and the building fee from exceeding 10 percent of the tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students. The bill authorizes the use of the Capital Improvement Trust Fund fee for certain projects or real property acquisitions, and requires the Division of Bond Finance of the State Board of Administration analyze any proposed fee reductions to the Capital Improvement Trust Fund fee. Additionally, the bill requires that the Board of Governors approve any proposed fee reductions, and requires that each university board of trustees establish a separate Capital Improvement Trust Fund fee and building fee at the main campus of the university. The bill also authorizes the university board to establish a separate Capital Improvement Trust Fund fee and building fee at any branch campus or center and requires the Board of Governors adopt regulations and timetables to implement the fees. The bill has been referred to Higher Education, Banking and Insurance, and Budget committees. There is no House companion at the time.

**HB 441 -- Resident Status for Tuition Purposes, by Representative Reggie Fullwood (D – Jacksonville)**, classifies as residents for tuition purposes a United States citizen who attends a Florida high school for at least 2 consecutive years and submits his or her high school transcript to and enrolls in an institution of higher education within 12 months after graduating from a Florida high school. The bill requires the State Board of Education to adopt rules and the Board of Governors of the State University System to adopt regulations. The bill has been referred to the K-20 Innovation Subcommittee, the Rule-making & Regulation Subcommittee, the Higher Education Appropriations Subcommittee, and the Education Committee. The Senate companion, **SB 1018 by Senator Rene Garcia (R – Hialeah)** has been referred to the Higher Education, Budget, and Rules committees.

**HB 609 – Wage Protection for Employees, by Representative Tom Goodson (R – Titusville, FSU Alum)**, provides that the regulation of wage theft is expressly preempted to the state. Therefore, local governments may not regulate over and above the existing state

and federal laws. The bill also defines "wage theft" as an illegal or improper underpayment or nonpayment of an individual worker's wages, salaries, commissions, or other similar form of compensation. The bill reported favorably by the Community & Military Affairs Subcommittee and is now in the Judiciary Committee. The identical bill in the Senate, **SB 862 by Senator David Simmons (R – Altamonte Springs)** will be heard today in the Community Affairs Committee.

**SB 794 -- Public Contracting, by Senator Alan Hays (R – Umatilla)**, prohibits a governmental unit that contracts for the construction, repair, remodeling, or improving of a facility from imposing conditions that requires, prohibits, encourages, or discourages certain bidders, contractors, or subcontractors from entering into or adhering to agreements with a collective bargaining organization. The bill prohibits a governmental unit from granting certain awards as a condition of certain contracts and prohibits certain terms from being placed in bid specifications, project agreements, or other controlling documents. Additionally, the bill revises the period during which an agency must file a protest following certain contract solicitations or awards. The bill will be heard in the Community Affairs Committee today. The identical bill in the House, **HB 719 by Representative Charles Van Zant (R – Palatka)** has been referred to the Government Operations Subcommittee, the Community and Military Affairs Subcommittee, the Government Operations Appropriations Subcommittee, and the State Affairs Committee.

**SB 206 – Public Meetings, by Senator Joe Negron (R – Palm City)**, requires that a member

of the public be given an opportunity to be heard before a board or commission takes official action on an item of significant interest to the public. The bill provides exceptions and requires that a board or commission adopt rules or policies. The bill will be heard today in the Rules Committee. A similar bill in the House, **HB 355 by Representative Martin Kiar (D – Southwest Ranches)** has been referred to the Government Operations Subcommittee, the Rulemaking & Regulation Subcommittee, and the State Affairs Committee.

**SB 1314 -- Career-themed Courses, by Senator Don Gaetz (R – Destin)**, revises provisions relating to the Florida Career and Professional Education Act. The bill requires that each district school board, in collaboration with regional workforce boards, economic development agencies, and postsecondary institutions, develop a strategic 3-year plan addressing and meeting local and regional workforce demands. Additionally, the bill requires that students who complete career-themed courses receive a standard high school diploma, the highest available industry certification, and opportunities to earn postsecondary credit if the career-themed course credits can be articulated to a postsecondary institution. The bill also revises provisions relating to the computation of the annual allocation of funds to each school district for operation, etc. The bill will be heard in the Education Pre-K 12 Committee tomorrow. There is no House companion at this time.

**SB 1560 -- Ethical Requirements for Public Officers, by Senator John Thrasher (R – Jacksonville, FSU Alum)**, provides that a member of the Legislature may not work for, or contract with, a

state university or State College System institution while in office or for two years after leaving office. This restriction does not apply to members working for a state university or State College System institution on July 1, 2012. Additionally, the bill authorizes public officers to place their assets in a blind trust. The blind trust must meet certain minimum requirements concerning the contents of the trust agreement and who can serve as trustee. The bill also creates an initial screening process for financial disclosure filings of elected constitutional officers. The bill requires the Florida Commission on Ethics ("Commission") to review timely-filed financial disclosures of elected constitutional officers, along with any supporting documents provided, to determine if the filing is sufficient. The bill will be heard in the Rules Subcommittee on Ethics and Elections today. There is no House companion at this time.

**PCB HEAS 12-01, Higher Education Funding by Representative Marlene O'Toole (R – The Villages)**, will be workshopped in the House Higher Education Appropriations Committee on Tuesday afternoon. As currently drafted, the PCB combines into one entity the Florida Center for Library Automation, the College Center for Library Automation, the Florida Distance Learning Consortium and Florida's Academic Counseling and Tracking for Students (FACTS). Additionally, it addresses efforts to create an Adult Degree Completion Pilot Project, and some revisions to the Bright Futures Scholarship Program, FRAG and ABLE grants, the excess hours surcharge, and budget authority of trustees.

## SESSION SCHEDULE

**SENATE SESSION TUESDAY, JANUARY 24, 9:00 a.m. TO 12:00 NOON**

**HOUSE SESSION TUESDAY, JANUARY 24, 11:00 a.m. TO 12:30 p.m.  
WEDNESDAY, JANUARY 25, 4:30 p.m. TO 6:00 p.m.**



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