

LegisLetter

FLORIDA STATE UNIVERSITY GOVERNMENTAL RELATIONS

Volume Twelve / Number Two • January 29, 2002

Partisan bickering, rising tensions, and even fist fights have been staples of past reapportionment sessions. This behavior, however, has usually been reserved for the waning hours. But not this year. This year, during the first week of this session, all of the above has already happened, including a fight over video slot machines between two lobbyists in the halls of the Capital. And budget negotiations have not even begun yet!

Governor Bush kicked off the 2002 Session on Tuesday with an amiable State of the State address. In it, the Governor announced, among other things, his Florida Technology Development initiative, which would use university researchers and scientists to develop technology, and economic diversity, for the state through the creation of centers of excellence on select campuses. The Governor plans to fund this initiative with \$100 million in non-recurring dollars to establish endowed chairs, and to build facilities such as laboratories. This proposal has legislative support. To underscore the importance of this technology initiative, Lt. Governor Frank Brogan toured our Magnet Lab, as well as other research facilities, last Friday.

Key legislation is moving quickly through the committee process and toward full hearings on the House and Senate floors. The Senate's tax reform initiative continues to receive the bulk of the attention (**see Spotlight on Bills**). A Senate governance bill had its initial hearing yesterday during the Senate Education Committee (**see related story**). In its current form, this proposal moves the universities toward their priority of devolution, which is encouraging. Also, a bill designating Apalachee Parkway as the "Ronald Reagan Parkway" was withdrawn from further consideration.

On a somber note, Trustee Alan C. Sundberg passed away late Friday after a battle with lung cancer. I feel lucky to have worked with Alan during his time at Florida State as our general counsel, and again as an inaugural member of the FSU Board of Trustees. His wonderful wit, charm and incredible brilliance will be greatly missed.

As always, please feel free to contact me if you have questions about issues that concern you, or if you need copies of bills and their analyses. I can be reached at **644-4453** or e-mail at **kdaly@govrel.fsu.edu**.

Kathleen

Governance Update

Last week, the Senate Education Committee released its first draft of an education governance proposal. At this early point in the session, the draft closely parallels our legislative priorities, which were detailed in last week's Legisletter. The proposal was discussed in the Senate Education Committee yesterday. Some of the more significant issues within the draft legislation include:

- **State-agency Status**—Universities are defined in this proposal as independent entities, and no department, bureau, division, agency or subdivision of the state may exercise any responsibility or authority to operate or regulate them. Universities are not defined as state agencies, unless specifically stated in law.
- **Employer Status**—The University Boards of Trustees are granted public employer status of the respective university personnel they oversee.
- **Budget/Financial Management Flexibility**—Universities would receive legislative appropriations as grants-in-aid, i.e. a "lump-sum" approach, which is currently enjoyed by the community colleges. The proposal would eliminate the 5 percent carry forward funds limitation, and authorizes the universities to deposit funds outside of the state treasury, with exceptions.
- **Eminent Domain**—These proceedings may be exercised with the approval of the State Board of Education.

Spotlight on Bills

TAX REFORM UPDATE. The tax plan touted by **Senator John McKay (R-Bradenton, FSU Alum)** received the bulk of press this week. Under the plan, a 4.5 percent sales tax would be applied to a myriad of services from attorney and accountant services to hair dressers and fish breeders, which would generate an estimated \$4.2 billion a year in new revenue. With session pressures already mounting, Senator McKay added numerous exemptions this week to the tax in an effort to appease his opponents. The list of 92 tax free items now includes medical care, insurance premiums, broadcast advertising, and school lunches. A lower tax rate of 1.5 percent would be applied to construction services. Originally, it was the senator's intention to begin with a constitutional amendment lowering the tax to 4 percent, allowing the Legislature to name the exemptions over the next 2 years. More information on the tax plan, including summaries, charts and the list of taxable services and exemptions, can be found on Online Sunshine (www.leg.state.fl.us). Go to the Senate page and chose the link "Reforming Florida's Tax System."

SB 332, Athlete Agents by Senator Jim King (R- Jacksonville, FSU Alum), defines more broadly the term "athlete agent", redefines licensure and contract requirements, improves the civil remedies available to schools for regulatory violations, and creates a reciprocity clause with other participating states. The bill passed the Judiciary Commit-

tee earlier this month and will be heard next in the Appropriations Subcommittee on General Government. The House companion, **HB 179 by Representative Holly Benson (R- Pensacola)** has been assigned to committees but has yet to be heard.

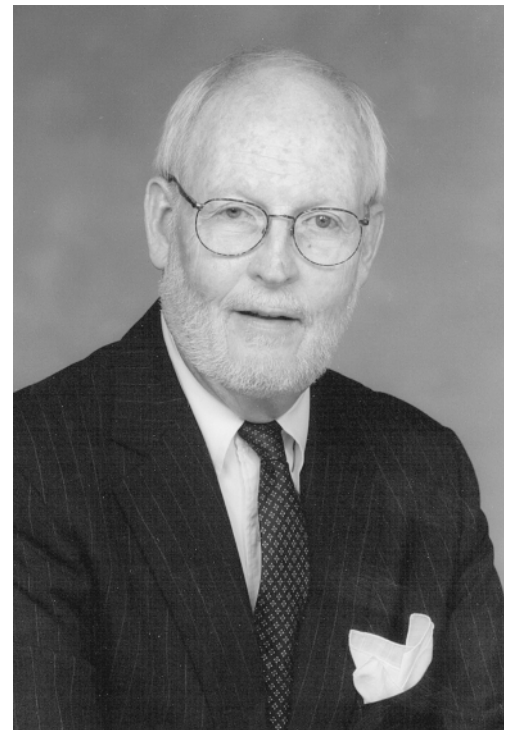
SB 422, District School Board Employees by Senator Richard Mitchell (D-Jasper), designates certain benefits awarded under the Barry Grunlow Act to survivors of school district personnel killed while on duty. The bill also expands the list of school board employees who would be covered and excludes from coverage non-instructional personnel and contract workers. The Committee on Governmental Oversight and Productivity will hear the bill on January 29.

CS/HB 459, Bright Futures Scholarship Program by Representative Bev Kilmer (R-Marianna), enables Florida students who qualify for Bright Futures scholarship awards to use them at out-of- state military academies. The bill passed the House Committee for Lifelong Learning and is headed to the House floor for deliberations.

HB 871, Meningitis Immunization/ Schools by Representative Mike Hogan (R-Jacksonville), would require college students who live on-campus to be vaccinated for meningococcal meningitis. The Health Department in coordination with the Department of

Education would set up the vaccination program. The bill has been referred to committees but has not yet been heard. A similar bill, **SB 1628 by Senator Ken Pruitt (R-Port St. Lucie),** has been filed in the Senate but has not yet been referred to any committees.

SB 1376, Florida Retirement System by Senator Al Lawson (D-Tallahassee, FSU Alum), lowers the "normal retirement date" to after 25 years and "normal retirement age" to 50 years for regular class members. The bill also adds language limiting participation in the Deferred Retirement Option Program (DROP) if a retiree does not reach "normal retirement age" requirements by a specified date. There is currently no House companion.



In Memoriam

Alan Sundberg

1933-2002

SESSION SCHEDULE

SENATE

Thursday, January 31

9:00 AM - 1:00 PM

Friday, February 1

9:00 AM until completion

HOUSE

Thursday, January 31

1:30 - 4:00 PM