

# LegisLetter

FLORIDA STATE UNIVERSITY GOVERNMENTAL RELATIONS

Volume Twelve / Number Four • February 11, 2002

As we approach the midway point of the 2002 regular session, budget and issue-related items, as well as other information, is beginning to take shape. The Senate Education Appropriations Committee will release its budget this evening, and the House will do the same on Wednesday. Each hope to pass their spending plans out of the subcommittee by week's end, and send them to their full budget committees by next week. By every indication, the budget picture, at this juncture, appears to be dismal for education, overall, in Florida. In response, **Senator Don Sullivan (R. St. Petersburg)**, chair of the Senate education budget committee, is proposing an increase in the amount local school boards would be able to raise property taxes by 0.8 mills. Sullivan estimates that the increase would bring in an additional \$640 million for K-12, freeing up other dollars for Community Colleges and Universities. (It should be noted that the House is not offering a companion to this proposal.)

The issue of tax reform was dealt another blow last week in that Governor Bush came out in opposition to the Senate's broad plan to overhaul the tax system. The Governor believes that the current tax system is adequate for the revenue needs of the state.

In spite of the fact that there appears to be tremendous agreement between the respective House and Senate proposals on the reorganization of higher education in Florida, each chamber continues to fine tune their respective proposals (**see related story**).

The Governor released a supplemental budget last week, in which he officially included \$100 million in non-recurring funds for the Florida Technology Development Initiative, which he announced a few weeks ago. Governor Bush also added \$8 million for his "Just Read, Florida!" initiative. (At the invitation of the Governor, FSU may participate in this initiative.)

This is the next to the last week that House and Senate committees will hear substantive legislation. Many bills of interest are on the agenda this week, including a proposal authorizing the use of PECO dollars as a revenue source for the state match of private contributions to the facilities-enhancement program (**see Spotlight on Bills**).

As always, please feel free to contact me if you have questions about legislation moving through the process. I can be reached at **644-4453**, or by e-mail at **kdaly@govrel.fsu.edu**.

Kathleen

## Reorganization Update

Both the House and the Senate have released their reorganization proposals. Below is a comparison of the major issues contained in each bill.

**Legal Entity Status** - Both chambers' bills provide for non-state agency status for state universities. The Senate designates universities as independent, separate legal entities. Similarly, the House designates state universities as "public corporations."

**Personnel Systems** - The bills of both chambers allow universities to establish personnel programs, with State Board of Education oversight. The House, however, requires the State Board of Education (SBE) to adopt minimum guidelines.

**Health Insurance, Retirement and Risk Management** - In both proposals, employees would remain in the Florida Retirement System, and continue to receive state health benefits. Coverage would continue under the Risk Management Trust Fund for universities.

**Collective Bargaining** - Both bills allow for local collective bargaining.

**Procurement** - Both bills allow state universities to establish their own purchasing systems. The House requires the SBE to adopt minimum standards, as outlined in Chapter 240.325.

**Eminent Domain** - Both bills permit university boards of trustees to exercise the right of eminent domain, with the approval of the SBE.

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**Deposit of funds outside of the State Treasury** - Both bills allow state universities to deposit funds outside of the state treasury. The State Comptroller raised concerns about this issue, however, citing the possibility that it may allow the state to lose revenue.

**Carry forward** - Both chambers' proposals eliminate the 5-percent carry-forward cap on university boards.

**Ownership of Property** - Both bills amend the law providings for university boards to acquire title to non-state lands.

**Suncom** - Both bills require universities to continue to use SUNCOM

Regarding compliance with the Sunshine Law by university presidents and trustees, some House members expressed concern during their initial review last week. They discussed the possibility of amending the big reorganization proposal to include some clarifying language, but opted instead to craft a separate proposed committee bill.

Finally, the Senate's bill includes language that imposes a \$15 million cap (\$3 million over 5 years) on major gift donations matched by the state.

## SESSION SCHEDULE

### SENATE

**Thursday, February 14**  
9:00 AM - 1:00 PM

### HOUSE

**Tuesday, February 12**  
2:30 - 5:00 PM

**Wednesday, February 13**  
2:30 - 5:00 PM

# Spotlight on Bills

**HB 65, Relatives of Public Officials by Representative Phillip Brutus (D-North Miami)** eliminates restrictions currently over public education officials with regard to the hiring or promoting of relatives of those officials. The bill also allows these officials to advocate in support of the hiring or promoting of family members. The bill unanimously passed the House Education Innovation Committee as a committee substitute last week. The identical Senate bill, **SB 708 by Senator Les Miller**, has been referred to committees but has not yet been heard.

**HB 1125, by Representative Arthena Joyner (D-Tampa)**, creates the Education Investment Act. The bill offers improved curriculum, counseling and funding for low-performing high schools who receive their student body from low-performing middle and elementary schools. The intent of the legislation is to improve, at the state university level, undergraduate student recruitment, retention, and support services to students from low-per-

forming high schools, by offering expanded assistance programs and fee waivers. The companion bill, **SB 1890, by Senator Betty Holzendorf (D-Jacksonville)**, has been filed but not yet referred to committees for a hearing.

**HB 665, Postsecondary Alien Students by Representative Dick Kravitz (R-Orange Park)** would prohibit the use of state funds as any form of financial aid for nonresident aliens who are citizens of a country that has been designated as supporting terrorism by the US State Department. The bill passed the House Colleges and Universities Committee last week as a committee substitute on a vote of 9 to 4. A similar bill in the Senate, **SB 958 by Senator Steven Wise (R-Jacksonville)** has been referred to committees but has not been heard.

**SB 2260, Universities and Community Colleges by Senator Donald Sullivan (R. St. Petersburg)**, would allow money from the Public Education Capital Outlay (PECO)Trust

Fund to be used as a state match for private donations designated for facility enhancements. The bill would become effective July 1 of this year.

## UPDATE:

**HB 1275, Florida Bright Futures Scholarship/CLEP by Representative Marco Rubio (R-Miami)**, is on the agenda of the House Colleges and Universities Committee for Tuesday. The bill addresses the testing requirements and credit awarded for Florida Bright Futures Scholarships. **HB 1241, Education and Training/State Employees by Representative Loranne Ausley (D-Tallahassee)** is also on Tuesday's agenda of the House Colleges and Universities Committee. The bill would grant tuition waivers to state employees, excluding university employees, for work-related courses. The Senate companion, **SB 1356 by Senator Al Lawson (D-Tallahassee, FSU alum)**, passed the Committee on Governmental Oversight and Productivity last week.