

LegisLetter

FLORIDA STATE UNIVERSITY GOVERNMENTAL RELATIONS

Volume Twelve / Number Nine • March 18, 2002

Finally, the ninth week of the regular nine-week legislative session is upon us. Friday is the scheduled end to this contentious and as yet unproductive session. But is this truly the end? In many ways, it looks and feels like the final week of the session. But the reality is that legislators have yet to finalize a spending plan, a reapportionment plan, and a school code reorganization scheme. They might just finish this week, but my guess is that they won't.

The House debated and amended their version of the school code rewrite bill, **House Bill 2017**, on Friday, March 15. They considered 23 amendments during that day. Twelve of those 23 passed, along with three technical amendments. Meanwhile, the Senate's version of this bill, **CS/CS/SB 1564**, is awaiting a hearing in the Senate Education Appropriations Committee (**see related story**).

In the Senate last week, during floor debate on the budget, Senators removed dollars that would have been generated by their earlier tax exemption plan and replaced them with the increased recurring and non-recurring revenues announced by the state economists on March 8 (**see related story**). The Senate's budget is now ready for passage.

Typically, after the budgets pass both chambers, legislators gather to hammer out their differences. The budget must then "cool" for 72 hours before it is passed onto the Governor. With time running out though, the House and Senate will either have to skip the conference process, or go into overtime. (The state constitution requires the Legislature to have a budget in place by July 1.)

Another constitutional function that the Legislature must settle this year is the redrawing of Florida's House, Senate, and Congressional districts. The House has yet to pass a plan, while the Senate will vote theirs out today or tomorrow.

Of interest last week as well was that the Senate Education Committee approved the appointment of FBOE Chair Phil Handy and our own new Trustee, Mr. Andy Haggard. All of the FBOE members and University Trustees are awaiting full Senate approval, which is expected to take place on Wednesday.

As you can see, there is still much work to be done this week. Let me know what you think. I can be reached at **(850) 644-4453**, or by e-mail, **kdaly@govrel.fsu.edu**.

Kathleen

Budget Update

The Senate is poised to pass their spending plan this week. The House passed theirs a few weeks ago. Below are each chamber's highlights, as of today:

Enrollment: Both the House and Senate fund enrollment at approximately 42-percent of the system average for student services, university support and academic administration. The House funds 10,455 additional FTE system-wide, the Senate 12,525. The Senate includes an additional \$26 million in "equity" funding for FIU, USF, UCF and UNF.

Local Incentives: Both budgets provide discretionary funding, giving the Trustees spending flexibility. The House provides \$23 million, the Senate \$27million. In proviso, the Senate suggests these funds be spent on branch campus expansion, funding of major gifts, and administrative costs associated with state employee fee waivers.

FSU Medical School: The House funds the requested rollout amount of \$5.2million, plus tuition and fees. The Senate provides \$3.6 million plus tuition and fees.

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PECO and Facilities Match: The House PECO list for FSU includes approximately \$20.3 million to fund Montgomery Gym, the Psychology Center, Sarasota Utilities and infrastructure, main campus building envelope needs and the science building support systems. The Senate provides a lump sum of money and a list of projects to be appropriated by our Trustees. Facilities match money is provided in both bills out of the General Revenue Fund. The Senate appropri-

ates \$26 million, and includes the FSU Concert Hall, West Coast Symphony and the Marine Science and Training Center on their funding list. The House provides \$44 million and includes the FSU Concert Hall, the Pepper Center and the Marine Science and Training Center.

The Senate also provides \$10 million for the Governor's High Technology Initiative. The House budget does not, but the House bill contains a \$50 million fiscal impact. The Senate bill provides branch campus funding, including \$753,300 for our

Panama City campus. Both bills allow the Trustees to waive student fees. Neither bill provides additional funding for the major gifts program at this time.

University Reorganization Update

After several hours of debate last Friday, the House took only 12 of 23 amendments to its school code rewrite bill, **HB 2017**. The 1,776-page bill contains many good things for universities, however, and the amendments were largely K-12 related. Three of those adopted amendments are the focus of controversy, and may potentially jeopardize the bill from final passage. Those amendments would cut school board members' pay, revise hiring standards for school principals, and remove local oversight of charter schools. One amendment creating an Alzheimer's Research Center at USF did pass.

Meanwhile, **CS/SB1564**, which is one of eight school code bills in the Senate but contains the rewrite of Chapter 240, is awaiting a hearing in the Senate Education Appropriations Committee, which may not meet again this session.

At this point, both bills are still substantially similar with respect to most of the major devolution issues: removal from state agency status; authorization to locally deposit tuition and fees; authorization to deposit funds outside of the State Treasury; elimination of carry forward restrictions; university trustees to become the public employer (university employees to remain in the state health and retirement programs.) There of course are some differences between the bills, which may be hammered out this week.

SESSION SCHEDULE

SENATE

Monday, March 18, 2002

10:00 a.m. until completion of agenda

Tuesday, March 19, 2002

9:00 a.m. until completion of agenda

Wednesday, March 20, 2002

9:00 a.m. until completion of agenda

Thursday, March 21, 2002

9:00 a.m. until completion of agenda

Friday, March 22, 2002

9:00 a.m. until SINE DIE

HOUSE

Monday, March 18, 2002

1:00 p.m. – 5:00 p.m.

Tuesday, March 19, 2002

10:00 a.m. – 12:00 noon, 1:00 p.m. – 5:00 p.m.

Wednesday, March 20, 2002

0:00 a.m. – 12:00 noon, 1:00 p.m. – 5:00 p.m.

Thursday, March 21, 2002

10:00 a.m. – 12:00 noon, 1:00 p.m. – 5:00 p.m.

Friday, March 22, 2002

10:00 a.m. – 12:00 noon, 1:00 p.m. until SINE DIE

Spotlight on Bills

HB 65, Relative/Employment/School Board by Representative Phillip Brutus (D, North Miami) prohibiting appointment, employment, promotion, or advancement of relatives by officials to apply to officials of universities was placed on the Special Order Calendar and read the second time on March 15, 2002. The Senate Companion **SB 708 by Senator Les Miller (D, Tampa)** was referred to the Committee on Governmental Oversight and Productivity and the Ethics and Elections Committee on January 22, 2002.

HB 179, Athlete Agents by Representative Holly Benson (R, Pensacola) redefines term "athlete agent", revises licensure requirements, provides increased administrative fines and additional criminal penalties for certain acts. In addition, it makes provision for civil remedies available to colleges and universities for violations of athlete agent regulations. The bill was read the first time on March 8. The Senate companion, **SB 332 by Senator Jim King (R, Jacksonville)** passed the Senate and is on the House calendar.

HB 353, Universities and Community Colleges by Representative Leslie Waters (R, Largo), revises membership of state universities boards of trustees and shares authority to approve internal proce-

dures of student government organizations from the university president to the boards of trustees. The bill was substituted for **SB 2070 by Senator Don Sullivan (R, St. Petersburg)**, passed the Senate and was ordered enrolled on March 14, 2002.

HB 417, Alcoholic Beverages by the Colleges and Universities Committee, allows for serving alcoholic beverages to underage students as part of a required course curriculum. The bill passed the legislature and was signed by the Governor on March 14.

HB 805, Human Cloning Prohibition by Representative Jim Kallinger (R- Winter Park), prohibits any attempt or involvement in the process of cloning humans and sets forth a minimum civil penalty of \$1 million as well as minimum criminal penalties, including a 10-year prison sentence. The bill passed the House last week and was sent to the Senate, which referred the bill to committees.

HB 871, Immunizations/Post Secondary Education by Representative Mike Hogan (R, Jacksonville) requires that students who reside in on-campus housing be vaccinated against meningococcal meningitis. The bill was placed on the Special Order Calendar and read a second time on March 12, 2002. The

Senate companion, **SB 1628 by Senator Ken Pruitt (R, Port St. Lucie)** is in the Senate Appropriations Subcommittee on Education.

SB 1914, Student Financial Assistance by Senator Ron Klein (D, Delray Beach), allows part-time degree-seeking students to receive Florida Public Student Assistance Grants. The bill was substituted for its House companion, **CS/HB 747**, and is now on third reading in the House.

HB 1937, Technology Development by Representative Chris Hart (R-Tampa, FSU alum), creates a Florida Technology Development Act and an Emerging Technology Commission. The Commission will establish centers of excellence at state universities through which innovations in technology can be funneled and developed commercially. The bill was amended last week to raise its appropriation to \$50 million and is on third reading in the House today. The Senate companion, **CS/SB 1844 by Senator Jim King (R-Jacksonville, FSU alum)**, is stalled in the Senate.