



Volume Fifteen / Number Eight • April 20, 2009

The House and the Senate debated, amended and ultimately passed their respective budgets last week, which now puts the session into "conference mode." Conference is the process by which a small group of House and Senate leaders (**see the Budget Conferees list**) hash out the differences in their respective budgets. The process is set to begin today, run throughout this week, and possibly extend into the weekend. A compromise must be reached by next Monday if the legislature is to adjourn (sine die) by May 1 since the state constitution requires the budget to "cool" for 72 hours before final votes can be cast.

It will take every bit of this week to reconcile the huge differences between the budgets. As it stands, a total of approximately \$600 million divides the two, and almost \$400 million of that pertains to higher education. With either budget, however, FSU has the potential to lose tens of millions of dollars. If the House budget prevails, the university will lose about \$77 million; the Senate's will leave us with \$33.7 million less, although both budgets allow non-recurring federal stimulus dollars to make up some of the shortfall, and each one grants a tuition increase.

Cuts this deep will severely impact our university and I urge you to contact the budget conferees to let them know the importance of adequately funding our university, as well as the state university system, and about the enormous impact the SUS has on the economic well-being of Florida. Please note that contact information for these legislators is included in the adjoining budget conferees list.

On a positive note, several Florida State University scholars will be honored on the Senate floor this Thursday, and so will NCAA and ACC Coaches of the Year Leonard Hamilton and Sue Semrau.

You can watch all of this live on the Florida Channel, which is local cable channel 4. And, as always, please feel free to contact me at **(850) 644-4453** or via email at **kdaly@fsu.edu** if you need information or have questions about the 2009 session.

Kathleen

BUDGET CONFEREES

Budget Conference – At Large

Senate Members

JD Alexander Chair, (R – Winter Haven)
alexander.jd.web@flsenate.gov
850/487-5044

Ted Deutch V. Chair (D – Delray Beach)
deutch.ted.web@flsenate.gov
850/487-5091

Thad Altman (R – Melbourne)
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850/487-5053

Mike Haridopolos (R – Melbourne)
haridopolos.mike.web@flsenate.gov
850/487-5056

Al Lawson (D – Tallahassee, FSU Alum)
lawson.alfred.web@flsenate.gov
850/487-5004

House Members

Marcelo Llorente, Chair (R – Miami, FSU Alum)
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850/488-5047

David Rivera, Chair (R – Miami)
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850/488-7897

Elynn Bogdanoff (R – Ft. Lauderdale)
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850/488-0635

Dean Cannon (R – Winter Park)
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850/488-2742

Bill Galvano (R – Bradenton)
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850/488-4086

Adam Hasner (R – Delray Beach, FSU Alum)
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850/488-2234

Carlos Lopez-Cantera (R – Miami)
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Ron Reagan (R – Sarasota)
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Keith Fitzgerald (D – Sarasota)
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Ron Saunders (D – Tavernier)
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850/488-9965

Kelly Skidmore (D – Boca Raton)
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850/488-1302

SESSION SCHEDULE

SENATE SESSION

Wednesday, April 22
10:00 a.m. to 12:00 noon
1:30 p.m. to 4:30 p.m.

Thursday, April 23
9:30 a.m. to 11:30 p.m.
1:30 p.m. to 5:00 p.m.

Friday, April 24
10:00 a.m. to completion

HOUSE SESSION

Tuesday, April 21
1:00 p.m. to completion

Wednesday, April 22
9:00 a.m. to 12:00 noon.

Thursday, April 22
9:30 a.m. to completion

Friday, April 24
9:00 a.m. to completion

Budget Conference – Higher Education/Schools & Learning

Senate Members

Evelyn Lynn, Chair (R – Ormond Beach)
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850/487-5033

Lee Constantine (R – Altamonte Springs)
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Jim King (R – Jacksonville, FSU Alum)
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850/487-5030

Dan Gelber (D – Miami Beach)
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850/487-5121

Ted Deutch (D – Delray Beach)
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850/487-5091

House Members

Bill Proctor, Chair (R – St. Augustine, FSU Alum)
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850/488-2977

Steve Precourt, V. Chair (R – Winter Garden)
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Rachel Burgin (R – Tampa)
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850/488-9910

Marlene O'Toole (R – The Villages)
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Pat Patterson (R – Deland)
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Bill Heller (D – St. Petersburg)
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Betty Reed (D – Tampa)
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Dwayne Taylor (D – Daytona Beach)
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Chris Dorworth (R – Heathrow)
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Spotlight on Bills

HB 1303 -- Practice of Architecture & Interior Design, by Representative Baxter Troutman (R – Winter Haven), creates an exemption from licensure as an architect or interior designer for a manufacturer, distributor, or dealer of cubicle workstations and modular furniture, including special dividers or partitions, who prepare designs, layouts or other plans for the sale or installation of furniture, fixtures, and these other products, including commercial food service equipment. The exemption would apply if the design product does not affect structural components or life safety systems. The documents must also contain disclosures that the design product is not an architectural or engineering design. The disclosure must further state that the design documents are not prepared for the purposes of obtaining a building permit or for other construction related purposes. The bill reported favorably by the Governmental Operations Appropriations Committee last week. The Senate companion, **SB 842 by Senator Dennis Jones (R – Seminole)** was temporarily postponed by the Regulated Industries Committee. These bills dilute the amount of education necessary to deliver the things that are dictated in

this legislation, thereby reducing the need for interior design programs at the university level.

Update on Bills

SB 1696 – Higher Education by Senator Evelyn Lynn (R – Ormond Beach), makes the following changes to higher education funding statutes:

- Bright Futures –
 - Requires a refund of funds received for courses dropped by students after the end of the drop and add period.
 - Revises credit hour requirements for full-time students.
 - Removes college-related-expense awards for Academic Scholars.
 - Prohibits conversion of Gold Seal Awards to Medallion Awards.
- Florida Prepaid College Plans –
 - Establishes set per year payments from Florida Prepaid College Program to State Universities within a reasonable range.
 - Authorizes new plans with incremental credit hour purchases.
- State University Excess Hours – Requires a 50% tuition surcharge after 120% of required credit hours for resident students.
- Postsecondary Education Residency Requirements– Modifies standards for converting to resident status for tuition purposes.
- State University Graduate Tuition Rate – Authorizes up to 15% annual adjustments to match professional tuition flexibility already authorized.
- Higher Education Challenge Grants –
 - Requires notice of state match delay for Community College and State University Facilities and Operating Challenge Grant Donations.
 - Allows Community Colleges and Universities to spend existing donations for facilities projects; however the projects cannot be submitted for state support for

operations until the state match has been provided.

- Community College Baccalaureate Programs –
 - Temporarily suspends the establishment of new programs.
 - Modifies the state support and tuition language to be as provided in the General Appropriations Act.
 - Requires Board of Governors (BOG) review of a Community College for possible transfer to BOG oversight when the number of BA degree programs offered exceeds twenty-five degrees.
- Clarifies current practice for scholarship programs by removing specific dollar amounts from certain scholarship programs (Critical Teacher Tuition, Reimbursement, Critical Student Loan Forgiveness, Teacher Scholarships and Loan Forgiveness, “Chappie” James Most Promising Teacher, and Minority Teacher Scholars) and prorate these awards based on General Appropriations Act funding.
- Requires return of unused Minority Teacher Scholarship balances at end of the fiscal year.
- Requires FSAG-level need requirement for First Generation Scholarships.
- Repeals Ethics in Business Scholarship Program.
- Limits community college president salaries to \$225,000 from state funds. Limits all community college and all state university employee severance payouts to one year from state funds.

This bill pulls in aspects of many of the bills we have been following throughout Session. The bill passed out of the Senate and was amended in the House last week. It will now go back to the Senate and a conference committee will be appointed to work out a compromise bill.

CS CS SB 762 – State University Tuition and Fees by Senator Ken Pruitt (R – Port St. Lucie), authorizes each of the eleven state universities to

charge a tuition differential subject to approval by the Board of Governors. The bill was amended last week by the Higher Education Appropriations committee to:

- Stress that the board of trustees of each university shall strive to increase enrollment in math, science, high technology, and other high need areas when establishing tuition differentials by course;
- Add recognition that some of the state's high level research universities have research and development of more than \$100 million per year.
- Clarify that a university would have flexibility in determining the uses of the tuition differential;
- Permit a university to use private sources to meet the requirement for 30 percent of the tuition differential to be spent on need-based financial aid, thereby allowing an equivalent amount of funds to be used to enhance undergraduate education; and
- Prohibit a university from using the tuition differential to supplant private financial aid funds it already receives.

The bill reported favorably last week by the Policy and Steering Committee on Ways and Means. A similar bill in the House, **CSCSHB 403 by Representative Will Weatherford (R – Zephyrhills)** is on the calendar to be heard by the full House of Representatives.

HB 7107 – Determination of Resident Status for Tuition Purposes by Representative Steve Precourt (R – Winter Garden) requires that a prospective student must live in the State of Florida for at least 12 consecutive months prior to enrolling in a state university or community college to qualify for in-state tuition. Legal residence must be established by written or electronic verification that includes two or more of the Florida documents. The bill provides for reclassification from nonresident to resident if a person provides documentation that supports the



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person's permanent residency in the state such as documentation of permanent full-time employment for the prior 12 months or purchase of a home in this state and residence therein for the prior 12 months while not enrolled at an institution of higher education. The Senate companion, **SB 1696 by Senator Evelyn Lynn (R – Ormond Beach)** passed out of the Senate and was amended in the House. A conference committee will be appointed to work out the differences.

CS 158 – Sure Futures Scholarship Program by Senator Don Gaetz (R – Ft. Walton Beach), creates the Sure Futures Postgraduate Scholarship Program, matching businesses with students who are seeking advanced degrees and employment. A corporate sponsor would provide at least 50 percent of the cost of a scholarship for a student, who would then agree to work for the corporate sponsor for a minimum of 4 years after graduation. A sponsor's contribution would be matched by state funds if such funds were appropriated. The bill reported favorably in the Finance and Tax Committee last week. The House companion, **HB 23 by Representative Kevin Ambler (R – Tampa)** is not moving.

SB 844 – Postsecondary Distance Learning by Senator Steve Oelrich (R – Gainesville), establishes the Florida Distance Learning Consortium to:

- Facilitate collaboration among public postsecondary education institutions in their use of distance learning;
- Increase student access to associate and baccalaureate courses and degree programs;
- Support institutions in their use of technology; and
- Help build partnerships among the institutions, businesses, and communities.

The bill defines a distance learning course as one in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student

and instructor are separated by time, space, or both. The bill clarifies that only courses meeting this definition could be assessed the distance learning fee authorized for community colleges and universities. The bill clarifies the placement of a link for the Florida Distance Learning Catalog on an institution's website. The bill reported favorably by the Higher Education Appropriations Committee and will now go to its last committee of reference, the Rules Committee. The House companion, **HB 7121 by Representative Faye Culp (R – Tampa)** is on the calendar.

HB 1209 – Nursing Programs by Representative Denise Grimsley (R – Sebring), prescribes the approval process for practical and professional nursing programs and repeals existing law that vests the Florida Board of Nursing (BON) with the authority to prescribe this process by rule. Under the bill, each institution wishing to conduct a new nursing education program on or after the bill's effective date must submit a program application and \$1000 fee to the Department of Health. Existing nursing education programs are subject to a "grandfathering clause" so that they continue to be authorized to provide these programs in the future, except for programs on probationary status due to inadequate student performance on the National Council of State Boards of Nursing Licensing Examination (NCLEX). Programs with such status must achieve compliance with the student performance standards by July 1, 2011, or they will be terminated. The bill further requires that all nursing education programs are required to submit an annual report to the BON. The report must include an affidavit that verifies continued compliance with each statutorily-specified program standard and must document specified data relating to student admissions, retention, and performance. This and other data about Florida nursing education programs must be published by the BON on its Internet website. The website must allow interactive

searches and comparisons of specific nursing programs and must be updated at least quarterly. The bill passed out of the House last week. The Senate companion, **SB 2284 by Senator Mike Haridopolis (R – Melbourne)** will be heard in the Health and Human Services Committee today.

HB 69 – Space Industry, by Representative Dorothy Hukill (R – Port Orange), creates a multi-university Space Technology and Research Development Institute (STRDI) within the Governor's Office of Tourism, Trade and Economic Development (OTTED) and supported by Space Florida. The STRDI will be a university-based program, led by Embry-Riddle Aeronautical University, to provide research and development and policy analysis to improve the competitiveness of the space transportation industry in Florida. Additionally, the STRDI will seek designation as a Federal Aviation Administration sponsored Center of Excellence. Research to be supported by the institute includes, but is not limited to:

- Range and airspace management systems;
- Spaceflight human factors;
- Launch vehicle safety;
- Materials science; and
- Spaceport instrumentation, technologies, and processes.

The bill passed out of the House last week. The Senate companion, **SB 888 by Senator Evelyn Lynn (R – Ormond Beach)** reported favorably by the Higher Education Committee this week.

SB 1294 - Student Financial Assistance, by Senator Rhonda Storms (R – Brandon), prohibits the use of state funds appropriated directly or indirectly to the institution and tuition and fee revenues generated by Florida residents which were used to provide Financial assistance during the 2007-2008 academic year to students holding F-1 or M-1 visas, etc.. The bill has not had a hearing and there is no House companion.