

LegisLetter

FLORIDA STATE UNIVERSITY GOVERNMENTAL RELATIONS

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While the 2009 legislative session officially opens tomorrow, legislators have been in town almost non-stop since the beginning of the year, working on the budget and other issues. In fact, shortly after the holiday break, a special session was convened to cut 4 percent out of the current fiscal year's budget. Apparently, 4 percent wasn't enough though.

The next revenue estimating conference meets on March 13 and the advance indication is that a further decline in the current year's revenue is to be expected, and suggests that another \$1 billion will have to be slashed. That same estimating conference will likely point toward an additional \$5 to 6 billion revenue loss for fiscal year 2009-10.

Florida State has already realized an estimated \$30 million reduction in its budget during the past year. If the revenue estimates hold up, we can expect another \$30 million cut during the coming year. This is the backdrop for what promises to be one of the most demanding legislative sessions in recent history.

Every item in the state budget is under scrutiny by the legislature. All existing tax exemptions are under review, a bill to increase the cigarette tax has been filed, and so has a one-cent increase in the general sales tax, which would be allocated to education.

The prevailing signals, however, are that, at this point in the process, legislators would rather cut the budget than generate additional revenue. Meanwhile, the governor, in his recently released budget recommendations, funds state programs using some of the federal stimulus money (\$4.7 billion out of the 3-year total of \$12.2 billion) and the Seminole Tribe compact revenue (**see related story**).

Several bills important to higher education have been filed including the Tuition Differential bill (**HB 403 and SB 762**), which has already passed the Senate Higher Education Committee and will get its first hearing in a House committee tomorrow. (See the **Spotlight on Bills** section for information on other legislation.)

The governor's State of the State address begins at 6:00 p.m. tomorrow and you can watch it live on The Florida Channel (local cable channel 4). Additionally, a march on the capitol and teach-in to rally support for higher-education funding will originate from Westcott Plaza tomorrow at 11:00 a.m.

As always, please feel free to contact me if you have questions about legislation or other issues that may concern you. I can be reached at **(850) 644-4453** or via e-mail at **kdaly@fsu.edu**.

Kathleen

Governor's Budget Recommendations

Each year the Governor releases his budget recommendations to the Florida Legislature prior to the start of the regular session. Following is a summary of the university system's portion of this year's \$66.5 billion budget recommendations:

Operating Budget Summary: The Governor's budget provides a 5.6% increase over the current year's base appropriation. The breakdown is as follows:

State University System Issues:

- SUS Lottery \$187,570,558 – to be distributed by the Board of Governors, includes medical schools
- Education and General Activities – to be distributed by the Board of Governors includes medical schools
 - General Revenue \$1,940,079,145
 - Student and Other Fee Trust Fund \$1,135,889,211
 - Federal Grants Trust Fund (Stimulus) \$130,824,466
 - Phosphate Research Trust fund \$7,299,033
- Fixed Capital Outlay \$141,000,000
- Maintenance, Repair Renovation & Remodeling \$33,136,880
- PECO \$89,761,459
- University Developmental Research Schools \$6,878,600

FSU Specific Budget Issues:

- Florida Diagnostic & Learning Resources Center \$509,166
- Autism Program \$964,578
- Public Broadcasting, Television \$477,580, Radio \$95,867
- Radio Reading Services for the Blind \$349,328
- Ringling Museum Gallery Improvements \$418,338
- College of Education Multipurpose \$1,000,000

The Governor recommends a 5 percent increase in university undergraduate tuition.

Health Insurance will continue at the current rate.

FSU Day at the Capitol

Because of the recent and future cuts to our budget, FSU Day at the Capitol scheduled for April 21, 2009 has been cancelled.

While FSU Day is a wonderful time to showcase all that we offer to our students and the citizens of Florida, the state of the economy does not lend itself to such a celebration at this time. We hope that we can resume this great tradition next year.



Office of GOVERNMENTAL RELATIONS

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LEGISLATIVE CONTACT

The ethics law passed in 2005 prohibits state legislators from accepting gifts of any type, including food and drink from a “lobbying entity.” Florida State University is a lobbying entity and therefore cannot give legislators anything of value. A number of groups on campus invite legislators to speak at meetings that include lunch or dinner. Because of this law, it is necessary to let the University’s Office of Governmental Relations know when you or your department/organization intend to invite a legislator or member of their staff to campus.

In addition, legislative committee members periodically ask faculty or staff to attend committee meetings, or to formally respond to questions about various issues. The ethics law, however, makes it imperative that you notify Governmental Relations Assistant Vice President **Kathleen Daly – at 644-4453 or kdaly@fsu.edu** - of such requests.

Both of these notifications – a faculty or staff member has been asked to appear before a legislative committee, or a legislator or a member of their staff will be on campus – can also be made by submitting a Legislative Contact Form, which can be found online at www.fsu.edu/~govrel. **Please submit this form prior to appearing before the Legislature, or inviting a legislator or legislative staff member to campus.** If you have trouble accessing this form please contact Governmental Relations at 644-4453. Thank you for your cooperation.

SESSION SCHEDULE

SENATE SESSION

Tuesday, March 3, 2009
10:00 to 11:50 a.m.
Thursday, March 5, 2009
9:00 a.m. to 10:50 a.m.

HOUSE SESSION

Tuesday, March 3, 2009
10:00 a.m. to 12:00 noon
Thursday, March 5, 2009
10:50 a.m. to 12:00 noon

JOINT SESSION

Tuesday, March 3, 2009
5:50 p.m. to 7:00 p.m.

Spotlight on Bills

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. Seventy percent of the tuition differential would be used to enhance undergraduate education and thirty percent, or the equivalent amount from private sources, would be used to provide financial aid to undergraduate students who exhibit financial need. The aggregate sum of tuition and the tuition differential could not increase by more than 15 percent of the total charged for these fees in the previous year. The total undergraduate tuition and fees per credit hour could not exceed the national average for undergraduate tuition at public universities. The current requirements of the tuition differential would continue to apply to students as follows: 1. The tuition differential is not covered by the Bright Futures Scholarship Program; 2. Students who were in attendance at the qualifying institution prior to July 1, 2007, and who maintain continuous enrollment may not be charged the tuition differential; 3. A university may waive the tuition differential for students who demonstrate unmet financial need under the criteria for the Florida Public Student Assistance Grant (FSAG); and, 4. Beneficiaries having prepaid tuition contracts in the Prepaid College Tuition Program in effect on July 1, 2007 are exempt from the payment of the tuition differential. The bill reported favorably out of the Higher Education Committee last week and is now in the Higher Education Appropriations Committee. A similar bill in the House, **HB 403 by Representative Will Weatherford (R – Zephyrhills),** has been referred to State Universities & Private Colleges Policy, Education Policy Council, State Universities & Private Colleges Appropriations, and the Full Appropriations Council on Education & Economic Development.

SB 234–State University Presidents by Senator Don Gaetz, (R- Ft. Walton Beach), authorizes the state university boards of trustees to appoint, terminate, and establish the terms and conditions of employment of their respective university presidents. Currently, that authority is statutorily vested in the Board of Governors which has delegated the authority to the university boards of trustees. The bill reported favorably by the Senate Higher Education Committee and is now in Governmental Oversight and Accountability. The identical bill in the House, **HB 498 by Representative Marti Coley (R – Marianna, FSU Alum)** has been referred to the State Universities & Private Colleges Policy, Education Policy Council, State Universities & Private Colleges Appropriations, and Full Appropriations Council on Education & Economic Development.

SB 554–Legal Jurisdiction of Campus Police by Senator Charles Dean (R – Inverness, FSU Alum), redefines “mutual aid agreement” to authorize state university police officers to enforce laws within a

specified jurisdictional area as agreed upon in a mutual aid agreement. The bill authorizes university police officers to enforce traffic violations or violations of state law or applicable county or city ordinances when such violations occur on or within 1,000 feet of property owned or controlled by the university, a direct-support organization of the university, or any other organization controlled by the university. The bill has been referred to Higher Education, Criminal Justice, and Higher Education Appropriations. The identical bill in the House, **HB 295 by Representative Kurt Kelly (R – Ocala, FSU Alum)** has been referred to Public Safety & Domestic Security Policy, State Universities & Private Colleges Policy and, Criminal & Civil Justice Policy Council.

SB 1182–State Retirement by Senator Mike Fasano (R – New Port Richey), prohibits a retired person from receiving both a salary from an employer in the state administered retirement system and retirement benefits, and from reenrolling in the State Retirement System. The bill has been referred to Community Affairs; Ethics and Elections; Governmental Oversight and Accountability; Policy & Steering Committee on Ways and Means. There is no House companion at this time.

SB 1364–Bright Futures Scholarship Program by Senator Ken Pruitt (R – Port St. Lucie), requires universities to refund to the Department of Education funds received for courses dropped by students after the end of the drop and add period. Additionally, the bill provides an exception from the prohibition against the use of scholarship funds for certain courses and requiring a student’s written appeal for such exception. The bill revises the credit-hour requirements for renewal of a scholarship. The identical bill in the House **HB 719 by Representative Kelli Stargel (R – Lakeland)** has been filed.

SB 920–Statewide Articulation Agreements by Senator Carey Baker (R – Eustis), requires that the statewide articulation agreement govern transfer of credits between public institutions & nonpublic institutions licensed by Commission for Independent Education. The bill authorizes school districts to enter into inter-institutional articulation agreements with independent postsecondary institutions and provides requirements for faculty committees that review courses and transfer of credit. The bill further requires rules establishing penalties for noncompliance with procedures for transfer of credit, mechanism for reporting suspected violations, fines to be paid by noncompliant institutions, and division of funds generated by fines. The bill has been referred to the Higher Education; Education Pre-K - 12; Higher Education. There Appropriations committees. The identical bill in the House **HB 751 by Representative Pat Patterson (R – DeLand)** has been filed.

HB 731–1-percent Sales Tax Increase by Representative Dwight Bullard (D – Miami), provides for 1-percent increase in sales and use tax rate and revises the brackets for calculating sales tax amounts. The bill provides for distribution of revenues from the additional 1-percent increase in tax rate and provides for 1-percent decrease in tax rate in 3 years. There is no Senate companion at this time.

SB 850–Cigarette Tax by Senator Mike Fasano (R – New Port Richey), increases the percentage of net collections deposited into the Alcoholic Beverage and Tobacco Trust Fund from the cigarette tax to be paid monthly to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute for certain purposes. The bill authorizes use of funds to pay bonds or related financial products and revises provisions providing for the use of transferred moneys to include cancer research, treatment, and related facilities, etc. The bill has been referred to Higher Education, Health Regulation, Finance and Tax, Higher Education Appropriations, and Policy & Steering Committee on Ways and Means. The identical bill in the House **HB 477 by Representative Will Weatherford (R – Zephyrhills)** has been referred to Finance & Tax Council, Health & Family Services Policy Council, State Universities & Private Colleges Appropriations Committee, and the Full Appropriations Council on Education & Economic Development.

HB 885–State University Student Health Insurance by Representative Anitere Flores (R – Miami), creates the “Student Health Insurance Protection Act” which provides requirements for state universities with health centers. The bill authorizes a state university to require student proof of health insurance coverage if certain conditions are met or to require purchase of university-sponsored or other insurance. The bill also requires student responsibility for resolving outstanding balances owed university health center and requires cost of health insurance to be included in calculation of financial aid awards. Additionally, the bill provides requirements for acceptable alternative insurance, proof of coverage, and university-sponsored insurance providers. There is no Senate companion at this time.

SB 1118–Tuition/Resident Status Determination by Senator Frederica Wilson (D – Miami Gardens) provides conditions for reclassification as a resident for tuition purposes. The bill requires that evidence be provided relating to legal residency and dependent status and requires institutions of higher education to determine an applicant’s dependent status and residency under certain circumstances. The bill further provides additional categories within which students may be classified as residents for tuition purposes. The bill has been referred to Higher Education, Military Affairs and Domestic Security, Finance and Tax, and Higher Education Appropriations. There is no House companion at this time.