



Volume **19** | Number **2** | **January 17, 2012**

**S**tate lawmakers began the 2012 legislative session last week in typical fashion—with flowers, ceremony and the banging of the gavel. This being a session that includes re-apportionment, however, ensures that it will be anything but ordinary.

Higher education captured the spotlight right from the start and included President Barron's testimony before House and Senate committees. His statements included considerations regarding accountability-based funding, tuition levels, and public-university goals, which were well received by the committee members as well as the press. This week a number of other university presidents will have an opportunity to testify as well.

Meanwhile, the state Revenue Estimating Conference announced last Thursday that Florida is still facing a \$2 billion budget deficit for the coming fiscal year. To make matters worse, PECO dollars for higher education are expected to sink to an all-time low (see related stories).

Each chamber will start crafting its budget for the coming year within the next few days and may have preliminary spending plans in front of subcommittees as soon as next week.

Substantive legislation heard last week included a bill that gives armed-services veterans priority when registering for college courses, as well as other issues pertaining to state universities and the military. This legislation passed through the House and Senate committees it was heard in and may be ready for full-chamber hearings by next week (see Spotlight on Bills).

University Board of Trustees confirmation hearings will also be held this week by the Senate Higher Education Committee. For FSU, this includes trustees Allan Bense and Joseph Gruters. Speaking of state boards, a meeting of the Florida Board of Governors will be held this week at our Public Broadcast Center (WFSU).

A reminder that WFSU is the flagship station for The Florida Channel (local cable channel 4), which allows you to watch all of the action by state legislators as it happens.

As always, please feel free to contact me at **(850) 644-4453** or **kdaly@fsu.edu** with any questions you may have about the session, or to request copies of bills and their analysis.

*Kathleen*

# Peco Destruction

At the same time state lawmakers were celebrating the start of the 2012 legislative session last Tuesday, Governor Rick Scott was issuing a demand to state universities to return previously authorized but unspent PECO dollars to the public coffers.

Public Education Capitol Outlay (PECO) dollars are allocated from a designated source for capital improvements to educational institutions. The reason the governor gave for the callback of these crucial pieces of revenue: "Due to reduced revenue into the PECO trust fund, the state will not be able to issue PECO bonds in

sufficient amounts and timeframes to meet the project schedules for all previously authorized projects."

In other words, PECO money, which is largely derived from taxes on utilities, has been recently depleted because of conservation practices and other changes in utility usage.

Consequently, a host of state public-education entities may have to return as much as \$250 million in unspent PECO revenue, an indication the fund has run dry and that the likelihood of capital allocation, even for building maintenance, is highly unlikely this session.

# Revenue's Neutral

State lawmakers normally craft their budgets around the revenue estimates provided shortly after their annual session begins in March. Earlier figures were needed this year, however, because the decennial reapportionment required the 2012 session to start last week.

Last Thursday, economists for the state's Revenue Estimating Conference kept their forecast of proceeds for FY 2012-2013 all but unchanged from their previous projections: Florida is still likely to face a \$2 billion shortfall next year.

As a result, House and Senate

leaders are still divided over whether next year's budget can be completed by the close of the regular session on March 9. With revenue forecasters not set to meet again until this summer, some legislative leaders hope that revenue-increase projections will be released in March. If that happens, they will then be able to favorably amend the coming year's budget.

In any case, House and Senate budget committees will begin meeting in earnest this week to decide on preliminary spending plans for their subcommittees to work from in the coming weeks.

## SPOTLIGHT ON **BILLS**

### **SB 922, Current and Former Military Personnel by Senator Mike Bennett (R – Bradenton)**

contains a number of provisions relating to current and former military personnel. In general, some of the provisions of the bill are:

- Creates the National Guard Employment Tax Credit Program. This program allows an eligible business employing a current member of the Florida National Guard who has been unemployed for more than 6 months or is returning from duty abroad, to be eligible to receive a \$10,000 tax credit.
- Creates the Florida Veterans' Hall of Fame Council within the Florida Department of Veterans' Affairs to serve as an advisory body tasked with accepting nominations of persons to be considered for induction into the existing Florida Veterans' Hall of Fame.
- Expands the vendor preference in state contracting, which currently applies to qualified service-disabled veterans, to include certain businesses owned and operated by wartime veterans. Allows a school-aged dependent of military personnel the option to remain at the school he or she currently attends if a local school board adjusts school zones, which requires attendance at a different school for that student.
- Requires institutions within the Florida College System and State University System of Florida that offer priority course registration for a segment of the student population, or upon establishment of such a policy, to provide priority course registration to veterans of the U.S. Armed Forces and dependents of veterans using GI Bill educational benefits.
- Allows veterans of the U.S. Armed Forces who physically attend a public college,

university or institution of higher learning in Florida, to be automatically classified as a resident of the state for tuition purposes.

- Provides that any veteran of the U.S. Armed Forces who was a resident of Florida four years before entering military service and who holds an associate degree or has earned at least 60 college credit hours from a Florida College System institution shall be admitted to any Florida College System institution or state university of the veteran's choice.

The bill is to be heard in the Criminal Justice Committee on Thursday. **HB 45, by Representative Jimmie Smith (R – Le-canto)** is now in the Education Committee. This is a companion bill to the Senate Bill.

### **CS/SB 198 - State University System Optional Retirement Program by Senator John Thrasher, (R – Jacksonville,**

**FSU Alum)**, increases the number of companies that the Department of Management Services (DMS) is authorized to contract with for provision of State University System optional retirement plans (SUSORP) from five to six companies. The bill also provides that if an additional company is to be added by competitive procurement, the contract with the new provider be effective from July 1, 2012 until December 14, 2014, and all SUSORP providers be designated after January 1, 2015, must participate together in a competitive procurement. The DMS continues to be limited in its contract selection to the potential pool of companies proffered by the Board of Governors of the State University System. The bill reported favorably by Budget Subcommittee on Higher Education Appropriations and is now in the Budget Committee. A similar bill in the House, **HB 495 by Representative Mia Jones (D – Jacksonville)** is now in the Government Operations Subcommittee.

**SB 246 - Relating to Procurement of Professional Architectural, Engineering, Landscape Architectural, or Surveying and Mapping Services by Senator Mike Bennett (R – Bradenton)**, revises the definition of “continuing contract” and defines “best value selection”. The bill clarifies provisions with respect to selection of firms by an agency under the competitive selection process and provides that an agency has the right to reject any or all submissions received in response to a public announcement under the competitive selection process; authorizing an agency to award contracts to multiple firms under the competitive negotiation process; providing for a best value selection process; requiring agencies to adopt rules governing the use of the process; providing minimum requirements with respect to best value selection procedures, etc. The bill has been referred

to the Regulated Industries, Governmental Oversight and Accountability, and Budget Committees. A similar bill in the House, **HB 155 by Representative Fredrick Costello (R – Deland)** is now in the Government Operations Subcommittee.

**HB 1087 - Concealed Weapons or Firearms by Representative Lori Berman (D – Delray Beach)**, provides that a license to carry a concealed weapon or firearm does not authorize any person to openly carry a handgun or carry a concealed weapon or firearm into a state, county, municipal, school board, constitutional officer's, or special district office or building that primarily consists of offices for one of these entities or any combination of them or into a child care facility. The bill is now in the Criminal Justice Subcommittee. The identical bill in the Senate, **SB 1340 by Senator Maria Sachs (D – Delray)** has been referred to the Criminal Justice, Community Affairs, and Budget Committees.

**SB 342 - Relating to Use of Cigarette Tax Proceeds, by Senator Rhonda Storms (R – Brandon)**, moves up the date on which the current cigarette tax revenue distribution to the Moffitt Center of 1.47 percent of net collections is set to expire, from June 30, 2020, to June 30, 2013. Under the bill, effective July 1, 2013, the Moffitt Center would receive a distribution of 4.88 percent of net cigarette tax collections. This distribution would continue through June 30, 2045. Under current law and the bill, the distribution amount cannot be less than the amount would have been in state fiscal year 2001-2002 if distributed at the percentage amount specified in statute. The bill expands the allowable uses of these funds to various additional functions of the Moffitt Center. The bill reported favorably in the Health Regulation Committee last week. A similar bill

in the House, **HB 123 by Representative James Grant (R – Tampa)** is now in Finance & Tax Committee.

**SB 532 - Relating to College Credit for Military Training and Education Courses by Senator Thad Altman (R – Melbourne)**, directs the Board of Governors to adopt regulations and the State Board of Education to adopt rules that enable members of the U.S. Armed Forces to earn academic credit at public postsecondary educational institutions for college-level training and education acquired in the military. The bill reported favorably in the Higher Education Committee and is now in the Subcommittee on Higher Education Appropriations. The identical bill in the House, **HB 347 by Representative Gayle Harrell (R – Port St. Lucie)** has been referred to the K-20 Innovation Subcommittee, Rulemaking & Regulation Subcommittee, Higher Education Appropriations Subcommittee, and the Education Committee.

**SB 742 - Commission for a Drug-Free Florida by Senator Mike Fasano (R – New Port Richey)**, creates the Commission for a Drug-Free Florida within the Executive Office of the Governor. The bill requires that the Executive Office of the Governor provide the commission with staff, and requires that the Florida Center for Prevention Research within Florida State University provide administrative and logistical support to the commission. Additionally, the bill requires that the commission be funded by court fees deposited into the Drug-Free Florida Trust Fund and provides for the assessment and collection of the court fees. The bill has been referred to Criminal Justice, Governmental Oversight and Accountability, and Budget Committees. There is no House companion at this time.

## SESSION SCHEDULE

**SENATE SESSION TUESDAY, JAN. 17, 10:00 a.m. TO 6:00 p.m.**  
**WEDNESDAY, JAN. 18, 8:00 a.m. TO 1:00 p.m., 2:15 p.m. TO 6:00 p.m.**  
**FRIDAY, JAN. 20, 8:00 a.m. TO 12:00 p.m. NOON**

**HOUSE SESSION THE HOUSE WILL NOT CONVENE IN SESSION THIS WEEK**



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