



Volume **21** | Number **1** | **March 3, 2014**

**A**fter several months of committee hearings and budget forecasts, Florida lawmakers are now ready to convene the annual 60-day legislative session. It begins tomorrow at 11:00 with the State of the State address by Gov. Rick Scott, who is expected to make job creation and tax cuts the focus of his speech.

For state universities, performance metrics and the funding tied to these measures will be front and center during the coming weeks. In addition, legislation to repeal both tuition differential and the provision that allows universities to set tuition at the rate of inflation (should the legislature not specify an amount) will also be debated. The framework of this debate provides a solid indication that no tuition increases will be approved for the coming year.

Bills moving through the legislative process that have the potential to impact public higher education are summarized in the Spotlight on Bills section of this newsletter.

Mark your calendar for Tuesday, April 1, when FSU Day at the Capitol again fills the legislature with garnet and gold! This year's affair includes legislative honors for our National Championship football team, three floors of academic displays, and performances by the pep band, cheerleaders and circus in the courtyard. The evening prior, a reception will also take place on the 22nd floor of the capitol.

To watch the pomp and ceremony surrounding the official opening of the 2014 legislative session, as well as the State of the State speech by Governor Rick Scott, tune in to The Florida Channel starting at 9:00 tomorrow morning. Florida Channel programming can be seen locally on Comcast channel 4 and 201, Centurylink channel 12, and online at **TheFloridaChannel.org**.

As always, please feel free to contact me with questions about pending legislation, and requests for copies of bills and their analysis. I can be reached at **(850) 644-4453** or **kdaly@fsu.edu**.

*Kathleen*



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# Florida Channel

Transparency in state government takes on deeper meaning with the start of the 2014 Legislative Session and The FLORIDA Channel is at the center of this increased accessibility for Floridians.

For the first time, The FLORIDA Channel will televise, or stream, every committee meeting – as it's happening. A re-designed website and updated app means that users can access all meetings and events The FLORIDA Channel is covering – either live or in the archives. Simply click on what you want and the website delivers the content directly to your computer or hand-held device.

FLORIDA Channel programming can be seen locally on Comcast Channel 201 and 4, on Centurylink Channel 12 and of course, at **TheFLORIDAChannel.org**.

## SESSION SCHEDULE

### SENATE SESSION

TUESDAY, **MARCH 4**, 10:00 a.m. to 11:00 a.m. | 2:00 p.m. to 6:00 p.m.

### HOUSE SESSION

TUESDAY, **MARCH 4**, 9:00 a.m. to 11:00 a.m. | 4:00 p.m. to 6:00 p.m.

### JOINT SESSION

TUESDAY, **MARCH 4**, 11:00 a.m. to completion.

# FSU Day at the Capitol

The annual salute to Florida State's significant contributions to our state will take place on Tuesday, **April 1, from 9:00 to 2:00.**

**FSU Day at the Capitol** has become one of the most popular traditions during the legislative session, and provides a wonderful opportunity to showcase our University's programs and accomplishments to our friends in the legislature.

Through this event, Florida State is able to emphasize the University's long and proud heritage, and bring attention to the extraordinary achievements of our students, faculty and staff.

Preceding the day's festivities, a "Seminole Evening" reception will be held on March 31 starting at 5:30 on the 22nd floor of the Capitol. This special event is sponsored by the FSU Student Government Association and all University supporters are welcome to attend.

As always, **FSU Day at the Capitol** will include informative displays, which will be positioned throughout the plaza level and second and third floor rotundas. Also featured will be University "celebrities" – administrators, legislative alumni and more – along with performances by the FSU pep band, cheerleaders and Flying High Circus. This year will include special recognitions of our National Championship football team during both the House and Senate Sessions.

A special celebration of all things FSU (including the football team) will take place in the Capitol courtyard beginning at **11:30** with refreshments available for all to enjoy.

If your department has not yet signed up to display your achievements, please contact Toni Moore in the FSU Governmental Relations office at [tmoore@fsu.edu](mailto:tmoore@fsu.edu) or 644-3847.

Mark your calendars now for this Garnet and Gold celebration on **April 1st!**

# Legislative Priorities for 2014

Each year, Florida State University administrators identify priorities determined to be vital to the operation and growth of the university. Below are the top three priorities for the 2014 Legislative Session, which begins on March 4th.

## **1. Support for the continuation of preeminence performance funding – \$15 million**

*Last session the legislature passed SB 1076, which established performance standards state universities need to meet in order to be granted preeminent status. Currently, only FSU and UF meet those criteria. In doing so, each university's annual base budget is supplemented by \$15 million, and Florida State will be encouraging state lawmakers to follow through on the second \$15 million installment. Additional system metrics are in development which are tied to separate performance funding. This funding will also be a priority.*

## **2. Support the facilities funding**

*New facilities, renovations, and the expansion of existing facilities, as well as funding for general maintenance, has fallen short of the university's needs because of diminishing Public Education Capital Outlay (PECO) funds, enrollment and programmatic growth, and the impact of the recession. To address these critical needs, state universities have established the "Hard Hats for Higher Education" campaign. This initiative will involve both fiscal and policy issues, including requests for non-recurring dollars for priority projects and building-maintenance needs, legislation that gives universities more financing flexibility through public/private partnerships, and addressing the backlog of private gifts for educational facilities that qualify for state matching grants. The top three projects on FSU's priority list are:*

*1. Building Maintenance – The University's utility systems, infrastructure, and physical plant continue to be in need of renovation and expansion to keep pace with the growth of the campus population. FSU's system share*

*2. EOAS (Earth, Ocean and Atmospheric Science) Building – The two-phased EOAS complex will be the focus of earth, ocean and atmospheric sciences. The idea is to create an environment where earth science disciplines such as these can interact in a collaborative effort to teach, conduct research, and public service. The facility will provide space primarily for classroom/teaching lab, study, research lab, administrative and academic support functions. \$30 million requested*

*3. FAMU-FSU College of Engineering III – This request involves a joint-use project between Florida State University and Florida A&M University that will provide approximately 75,000 sq. ft. of space for the Colleges operations. \$15 million requested*

## **3. Support for veterans initiatives**

*In its ongoing effort to be the most veteran-friendly university in the nation, Florida State has taken the lead in advocating for in-state tuition for veterans, regardless of their state of residency. These efforts were launched at a Capitol press conference during September's interim committee meetings. In addition to President Barron, the press conference included Student Body President Rosie Contreras and current student-veteran Andrew Wright Sloan.*

# Employee Guidelines for Legislative Session

The 2014 Session of the Florida Legislature begins tomorrow. Please note the following Florida State University policies:

- President Eric Barron and Governmental Relations Asst. Vice President Kathleen Daly are the registered lobbyists for Florida State University.
- No one on campus other than President Barron or Ms. Daly is authorized to lobby for Florida State University or the State University System.

- However, the Legislature periodically requests faculty and/or staff to attend committee meetings or to formally respond to questions about certain issues. FSU employees asked to appear before committee must notify Kathleen Daly at 644-4453 and submit a legislative contact form prior to making an appearance.
- The form can be found on the Governmental Relations website at [govrel.fsu.edu](http://govrel.fsu.edu). If you have trouble accessing this form please contact

Governmental Relations at **644-4453** for a hard copy.

Nothing here is intended to discourage FSU employees from exercising their individual rights as citizens or as members of groups or organizations not affiliated with the University. Such rights include the freedom to express their views on legislation, provided that the views are not presented as those of FSU, the SUS, or a subunit of these.

## SPOTLIGHT ON **BILLS**

**SB 1400 – Postsecondary Student Tuition by Senator Jack Latvala (R – Clearwater)**, revokes a university's ability to establish or increase a tuition differential for undergraduate courses.

Additionally, the bill provides that a United States citizen who is a dependent child may not be denied classification as a resident for tuition purposes based solely upon the immigration status of his or her parent. It amends the definitions of "dependent child" and "parent" regarding establishing residency for tuition purposes.

The bill also clarifies that postsecondary institutions may satisfy the verification requirement for documents by accepting an affidavit that requires the person claiming residence to submit specific information. Furthermore, once any institution of higher education in the state classifies a student as a resident for tuition purposes or verifies that a student meets specific criteria established in law, an institution of higher education would not be required to reevaluate the classification status of a student so long

as there is no inconsistent information suggesting an erroneous classification and there is no break in the student's enrollment of 12 months or longer.

The bill clarifies that a student who resides in Florida may be classified as a resident for tuition purposes if he or she marries a person who qualifies as a resident for tuition purposes. It also allows a student who has been classified as a nonresident to reclassify as a resident upon subsequently marrying a person who already qualifies as a resident for tuition purposes.

For a dependent child living with an adult relative who is a Florida resident and who is not the child's parent, the bill reduces the amount of time the child must live with the relative in order to use the relative's documentation to establish residency for tuition purposes from five years to three years.

The bill removes the classification of certain types of students as residents for tuition purposes and instead provides that these students are not required to pay

out-of-state fees. The bill also adds the following types of students to those who are not required to pay out-of-state fees:

- Individuals who receive certain tuition waivers and exemptions under Florida law;
- Veterans of the United States Armed Forces, including reserve components, who physically reside in Florida while enrolled in a Florida postsecondary institution; and
- Students who attend a Florida high school for 3 consecutive years and enroll in a postsecondary institution within 24 months after graduation, provided they submit their high school transcript as documentary evidence of attendance and graduation.

Students who are not required to pay out-of-state fees under the new provisions may be reported for purposes of state funding and may be eligible for state financial aid or tuition assistance grants if they meet specific eligibility requirements for federal financial aid. The bill was filed last week.

A similar bill in the House, **HB 851 by Representative Jeanette Nunez (R – Miami)**, reported favorably in the Higher Education and Workforce Subcommittee.

**HB 7015 -- Military and Veteran Support by Representative Jimmie Smith (R – Lecanto)**, creates the "Congressman C.W. Bill Young Veteran Tuition Waiver Program," which waives out-of-state fees for honorably discharged veterans of the United States Armed Forces, the United States Reserve Forces, and the National Guard. The bill also appropriates \$5 million in recurring funds to the Florida Department of Military Affairs to pay the tuition and fees for certain deployed Florida National Guard members at a state university or Florida College System institution; and \$250,000 in nonrecurring funds for information technology upgrades to administer this program. Additionally, the bill revises Florida's veterans' preference in employment statutes to include all veterans, and not just wartime and disabled veterans, as well as members of the Florida National Guard and the United States Armed Forces Reserves.

The bill appropriates a total of \$26.55 million in General Revenue for tuition assistance and its administration, base buffering, and armory renovations. The bill passed out of all committees of reference and will be heard by the full house in the first weeks of session. A Senate companion, **SB 860 by Senator Lizbeth Benacquisto (R-Ft. Myers)** has been referred to the Appropriations Committee.

**SB 7036 – Postsecondary Education by Senator John Legg (R – Lutz)**, eliminates the automatic annual rate of inflation increase of the resident undergraduate tuition per credit hour at state universities and reduces the tuition differential fee cap for state universities from 15 percent to 6 percent. The bill also specifies that if the resident undergraduate tuition per credit hour at state universities is not provided in the General Appropriations Act, the tuition must remain the same as the prior fiscal year. The bill is now in the Education Committee. There is no House companion at this time.

**SB 7046 – Florida Retirement System by Senator Wilton Simpson (R – New Port Richey)**, establishes a cash balance retirement

plan for newly hired Florida Retirement System (FRS) employees featuring individual employee accounts that are guaranteed a minimum retirement benefit. Cash balance plans offer some of the features of both the pension plan and the investment plan. The State Board of Administration (SBA) is responsible for administering the new plan. Cash balance accounts would be funded by employee and employer contributions based on a percentage of monthly compensation, a guaranteed 2 percent interest on the account balance, and 75 percent of any investment returns over 2 percent.

Employees hired after July 1, 2015 may choose the cash balance plan or existing investment plan, and could revise that decision by making a second election. Only special risk employees would be able to choose the pension plan. Employees under the cash balance plan are vested after completing five years of service. Existing employees may choose to move between the pension plan or investment plan to the cash balance plan. Upon retirement, employees may choose to receive the total of the cash balance account as a lump-sum distribution, direct rollover retirement account distribution, periodic distribution or combination. The bill is in the Community Affairs Committee. There is no House companion at this time.

**HB 433 – Educator Certification by Representative Ross Spano (R – Riverview, FSU Alum)**, restates the methods by which a candidate for educator certification may demonstrate mastery of subject area knowledge, including passage of a Florida-developed subject area examination or a standardized examination specified by rule. The bill also allows a candidate to demonstrate mastery of general knowledge by achieving passing scores, as identified by the State Board of Education (SBE) in rule, on a national or international examination that tests comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills. In addition, the bill specifies certain requirements regarding demonstration of mastery of professional preparation and education competence. The bill reported favorably in the K-12 subcommittee. A similar bill in the Senate, **SB 950 by Senator Kelli Stargel (R – Lakeland)** has been referred to the Education Committee, the Appropriations

Subcommittee on Education and the Appropriations Committee.

**HB 815-- Tax on Sales, Use and Other Transactions by Representative Matt Hudson (R – Naples)**, expands the sales & use tax exemption to include school lunches served by colleges & universities. The bill is in the Finance & Tax Subcommittee. The identical bill in the Senate, **SB 0892 by Senator Rob Bradley (R – Orange Park)**, has been referred to the Education Committee, the Appropriations Subcommittee on Finance and Tax, and the Appropriations Committee.

**SB 792 – Tax on Sales, Use, and Other Transactions by Senator Anitere Flores (R – Miami)**, specifies that during the period of August 1, 2014 through August 3, 2014 the sale of clothing, wallets, bags, school supplies, personal computers, and personal computer related accessories are exempt from the sales tax, etc. The bill has been referred to the Commerce and Tourism, Appropriations Subcommittee on Finance and Tax and the Appropriations Committee. A similar bill in the House **HB 1015 by Representative Larry Ahern (R – Seminole)** has been filed.

**SB 728 – Public Records and Public Meetings/ Postsecondary Education Executive Search by Senator Alan Hays (R – Umatilla)**, provides and exemption from public records requirements for any personal identifying information of an applicant for president, provost, or dean of a state university or Florida College System institution. Further the bill provides an exemption from public meeting requirement for any meeting held for the purpose of identifying or vetting applicants for president, provost, or dean, and for any portion of a meeting held for the purpose of establishing qualification of, or any compensation framework to be offered to, such potential applicants that would disclose personal identifying information of an applicant or potential applicant, etc. The bill has been referred to the Education, Governmental Oversight and Accountability, and Rules committees. A similar bill in the House, **HB 135 by Representative Dave Kerner (D – Palm Springs)** is in the Governmental Operations Subcommittee.