

LegisLetter

FLORIDA STATE UNIVERSITY GOVERNMENTAL RELATIONS

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The 2009 legislative session reached the halfway point last Wednesday and the occasion was marked by the release of each chamber's initial spending plan.

After allocating \$155 million in federal stimulus dollars and raising base tuition for the SUS by a suggested 7 percent, total reductions to the House budget currently stand at 3.4 percent compared to this fiscal year. The Senate, on the other hand, applies \$165 million in federal stimulus dollars, \$10 million in Seminole gaming revenue and an 8 percent base-tuition hike for a 5 percent increase to its base budget (**see related story for details**).

The amounts, \$600 million dollars to be exact, and the philosophical differences between these two budgets are vast. The Senate's plan is lofty; it includes fee increases and the closing of some tax loopholes to raise additional revenue. The House budget, meanwhile, reflects a firm anti-tax stance and rejects gaming revenue as well. Of course, neither budget will be the one adopted, and a couple of weeks still remain in the regular session before compromise negotiations even begin.

In the meantime, a number of bills of interest to the SUS continue to meander through the process, collecting amendments along the way. Committee hearings will cease in about seven days, however, and that will narrow the number of viable bills even further (**see Spotlight on Bills**).

This week, the sixth of the session, is a short one (just two full days) due to the Passover/Easter holidays. Tomorrow, full Appropriations Committees in both the House and Senate will meet to pass out their budgets and ready them for hearings by their respective chambers after the holiday break.

You can watch the budget deliberations and other legislative action live on the Florida Channel, which is local cable channel 4. And, as always, please feel free to contact me if you have questions or concerns about a budget item or a bill. I can be reached at (850) 644-4453 or via email at kdaly@fsu.edu.

Kathleen

SESSION SCHEDULE

JOINT SESSION
Tuesday, April 7
11:00 a.m. to 12 noon

Budget Update

The House of Representatives and Senate have started working on their respective budgets for the 2009-10 fiscal year. Late last week both rolled out preliminary numbers utilizing stimulus and Seminole compact dollars. Below is a breakdown of where the two budgets stand relating to Florida State University:

Issue	House	Senate
Education & General	\$ 208,791,127	\$ 418,697,392
Tuition Increase	7% increase	8% increase
Differential Tuition	8% increase	7% increase
State & Federal Stabilization Funds	\$ 20,615,888	\$ 20,519,564
Student & Other Fees Trust Fund	\$ 157,811,174	\$ 158,552,377
Lottery	\$ 27,139,366	\$ 25,750,292
College of Medicine GR/Fees/Federal Grant Trust Fund	\$ 41,933,949 - 2.5% cut	\$ 47,637,495 level funding
Lottery		\$ 589,410
SUS Fixed Capital Outlay		
SUS Construction Projects	\$ 141,000,000	
Maintenance, Repair, Renovation	\$ 25,708,780	\$ 33,405,495
PECO - FSU		
Utilities/Infrastructure/Capital Renewal	\$ 4,653,726	\$ 4,653,726
Academic Support Building (P)	\$ 2,000,000	\$ 2,000,000
Library Information Commons (P)	\$ 1,000,000	\$ 1,000,000
FAMU-FSU College of Eng. III (equal amount is in FAMU's budget)	\$ 985,665	\$ 985,665
College of Law Remodeling & Expan.	\$ 600,000	\$ 600,000
Applied Sciences Building	\$ 1,000,000	\$ 1,000,000
Dittmer Building Remodeling	\$ 2,000,000	\$ 2,000,000
Autism Program - FSU	\$ 819,891	\$ 878,358
Florida Diagnostic and Learning Resource Centers - FSU	\$ 254,583	\$ 463,596
Public Boardcasting		
Florida Channel Closed Captioning	\$ 334,961	\$ 358,802
Florida Channel Year Round Coverage	\$ 1,284,053	\$ 1,375,448
Public Television and Radio Stations	\$ 6,336,595	\$ 6,787,612
Radio Reading Services for the Blind	\$ 0	\$ 296,929
Authorization for FSU Project from Non-Appropriated Funds		(Authorized by both houses)
Minor Projects FSU Facilities		
Slinger Building		
Johnson Building		
Shaw Building		
Commonwealth 2 Building		
Authorization for SUS Ancillary (Bonded) Projects		(Authorized in both houses)
Student Wellness Center/Nursing/Health Facility		

There is no funding for the Challenge Grant or the Courtelis Facilities Match programs in either budget.

There are no salary increases or bonuses addressed in either budget. Health insurance will continue at the current rate.

Spotlight on Bills

SB 1840, Protecting Health/Surcharge on Tobacco Products, by Senator Ted Deutch (D – Delray Beach), levies a surcharge on cigarettes and other tobacco products. It directs all additional revenue to the Health Care Trust Fund instead of distributing it among various health-related funds. It strengthens enforcement of cigarette tax enforcement and provides a reward for information about sales of unstamped cigarettes. The bill reported favorably by the Finance and Tax Committee last week. A House companion, **HB 477 by Representative Will Weatherford (R – Zephyrhills)** has been referred to the Finance & Tax Council; Health & Family Services Policy Council; State Universities & Private Colleges Appropriations Committee; Full Appropriations Council on Education & Economic Development.

SB 600 – State University System Optional Retirement Program, by Senator Mike Fasano (R – New Port Richey), increases the allowable number of provider companies for the State University Optional Retirement Program (SUSORP) from five to seven. The proposed change to the maximum number of provider companies is permissive. The current provider company contracts expire in 2014. If additional providers are added, they will have to be selected through a competitive purchasing process. The bill reported favorably by the Higher Education Committee last week. A similar bill in the House, **HB 621 by Representative Bill Heller (D – St. Petersburg)** reported favorably by the Governmental Affairs Policy Committee.

SB 242 – Autism Spectrum Disorder Screening by Senator Jeremy Ring (D – Margate), provides that a physician is required to refer a minor to an appropriate specialist to be screened for autism spectrum disorder under specific circumstances. The bill defines an “appropriate specialist” and “neuropsychologist.” The bill reported favorably by the Health Regulation Committee last week. The House companion, **HB 89 by Representative Steve Precourt (R – Winter Garden)** reported favorably by the Health Care Services Policy Committee and is now in the Insurance,

Business & Financial Affairs Policy Committee.

SB 844 – Distance Learning by Senator Steve Oelrich (R – Gainesville, FSU Alum), establishes the Florida distance Learning Consortium and requires the board of Governor and the State Board of Education to jointly oversee the consortium. The consortium’s is to facilitate collaboration among public postsecondary education institutions in their use of distance learning to increase student access to associate and baccalaureate degree courses and degree programs. Additionally, the consortium will support institutions in their use of technology, and help build partnerships among institutions, businesses, and communities. The bill will be heard in the Higher Education Committee today. There is no House companion at this time.

SB 2216 – State Employee Fee Waivers, by Senator Don Gaetz (R – Ft. Walton Beach), permits the enrollment of state employees in university and community college courses without payment of tuition and permits that enrollment to be calculated in the fundable student enrollments. It specifically authorizes distance learning and on-line course as eligible methods of enrollment and extends the limitations required for traditional course work to such enrollments. The bill substitutes the employee’s supervisor for agency head or equivalent as the approving authority. The bill will be heard in the Higher Education Committee today. The House companion, **HB 1441 by Representative Marti Coley (R – Marianna, FSU Alum)** is awaiting its first hearing.

SB 158 – Student Financial Assistance 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. The program would be administered by the Board of Governors which would enter into

a contract with the Department of Education or a state university to provide administrative services for the program. Scholarship sponsors would pay an administrative fee to support the program’s start-up costs and administration. Additionally, a sponsor’s contribution would be matched by state funds if such funds were appropriated. The bill will be heard in the Commerce Committee today. The House companion, **HB 23 by Representative Kevin Ambler (R – Tampa)** has been referred to State Universities & Private Colleges Policy Committee; Education Policy Council; State Universities & Private Colleges Appropriations Committee; Full Appropriations Council on Education & Economic Development.

SB 442 – Education Dollars for Duty by Senator Mike Fasano (R – New Port Richey) reorganizes the delivery of education assistance for Florida National Guard members into one consolidated program. The bill expands education assistance eligibility for current members of the Guard, gives the Adjutant General the sole responsibility for developing and administering the Educational Dollars for Duty program, and grants necessary rule making authority. The bill is now in the Higher Education Committee. The House companion, **HB 685 by Representative Bill Proctor (R – St. Augustine, FSU Alum)** will be heard by the Full Appropriations Council on Education and Economic Development tomorrow.

Update on Bills

CSSB 2284 -- Nursing Programs, by Senator Mike Haridopolis (R – Melbourne), repeals the authority of the Board of Nursing to approve programs for the education of nurses. To conform to this repeal, the bill defines “eligible program,” to mean a nursing program offered by a school district, public community college, or state university; an institution licensed by the Commission for Independent Education; or another educational

institution in Florida, if the nursing program is accredited by a national accrediting agency recognized by the United States Department of Education. The bill was amended in the Higher Education Committee last week to further define the requirements for nursing program approval. The House companion, **CSHB 1209 by Representative Denise Grimsley (R – Sebring)** was heard in the Government Accountability Act Council last week.

CSCSSB 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



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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.

A similar bill in the House, **CSCSHB 403 by Representative Will Weatherford (R – Zephyrhills)** is waiting to be heard by the full House of Representatives.

CSSB 1104 – Art in Public Building by Senator Rhonda Storms (R- Brandon), repeals the statutory requirement that each appropriation for new construction of state buildings include an amount of up to 0.5 percent of the total appropriation for buying works of art for the building. The bill was amended last week by the General Government Appropriations Committee to reenact the 0.5 percent requirement effective April 1, 2011.

The identical bill in the House, **HB 1295 by Representative Rich Glorioso (R-Plant City)** was agenda but not considered by the Economic Development & Community Affairs Policy Council last week.

SB 2682 – Florida College System, by Senator Ken Pruitt (R – Port St. Lucie), addresses the recommendations made by the State College Pilot Project and Florida College System Task Force, which were created by the 2008 Legislature to make recommendations relating to the transition of community colleges to baccalaureate-degree-granting institutions. The bill will be heard in the Higher Education Committee today. The House companion, **HB 7083 by Representative Seth McKeel (R – Lakeland)** has been referred to the State & Community Colleges & Workforce Appropriations Committee; Full Appropriations Council on Education & Economic Development.

CSCSCSHB 391 -- State Funding for Medical Student Education, by Representative Bill Proctor (R – St. Augustine, FSU Alum), requires the Board of Governors of State University System, in consultation with OPPAGA and representatives from Doctor of Medicine degree programs, to develop funding methodology for Doctor of Medicine degree programs at state universities. The bill has passed out of commit-

tees and is waiting to be heard by the full House. The Senate companion, **SB 1614 by Senator Steve Oelrich (R – Gainesville, FSU Alum)** will be heard in the Governmental Oversight and Accountability Committee tomorrow.

CSHB 295 – Legal Jurisdiction of Campus by Representative Kurt Kelly (R – Ocala, 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 was amended last week to remove authorization for university police officers to enforce laws within 1,000 feet of the university. The bill is now in the Policy Council. The Senate companion, **SB 554 by Senator Charles Dean (R – Inverness, FSU Alum)** is now in the Higher Education Appropriations Committee.

CSSB 1996 – State Universities, by Senator Lee Constantine (R – Altamonte Springs), authorizes university boards of trustees to establish a renewable energy fee under certain circumstances. The bill increases the threshold amount used to replace minor facility projects, and revises provisions relating to the University Facility Enhancement Challenge Grant Program. Additionally, the bill authorizes a university to expend funds from private sources to develop a prospectus for a facility or site preparation or initial planning and construction, etc. The bill will be heard in the Finance and Tax Committee today. The House companion, **CSCSHB 499 by Representative Steve Crisafulli (R – Merritt Island)** is waiting to be heard by the full House.

SB 888 – Space Industry by Senator Evelyn Lynn (R – Ormond Beach), revises the duties of Space Florida to include supporting the development and operation of the Space Transportation Research and Development Institute. The bill establishes the multi-university Space Transportation Research and Development Institute within the Office of Tourism, Trade and Economic Development. The bill will be heard in the Commerce Committee today. A similar bill in the House, **CSHB 69 by Representative Dorothy Hukill (R – Port Orange)** is awaiting hearing by the full House.