



Volume **23** | Number **7** | **February 22, 2016**

**W**ith the legislative action moving out of committee rooms and into the House and Senate chambers, lawmakers during the coming week will consider a series of high-profile issues. The Senate, for example, will consider a proposal that would allow people with terminal illnesses to have access to medical marijuana. The House, meanwhile, will take up proposed changes to the state retirement system.

Budgets for each chamber have passed and are shelved, waiting for conference to begin. Conference committee members include Senators appointed by the President and House members appointed by the Speaker who are tasked with reaching a final agreement on the budget.

Before conference can begin, a key first step in the budget negotiations is determining the allocations lawmakers are willing to put toward major budget items like education, as well as issues like tax cuts.

Legislative leaders say compromises will be needed to bridge the differences in the House and Senate proposals for tax cuts and economic incentives. The current House proposal aligns with Governor Scott's push for a \$1 billion windfall for businesses.

The House's tax-cut package is actually two years' worth of cuts that would decrease state revenue by \$354 million for the coming fiscal year and roughly \$600 million the following year. The Senate's reduction of about \$250 million would take effect in FY2016-2017.

The Senate budget does, however, include Governor Scott's \$250 million economic-incentive package, although the House proposed just \$80 million for the same.

Another area of budget contention is K-12 education funding. The Senate proposes that at least half the funding increase for K-12 in 2016-2017 come from state general-revenue funds and the other half from a property tax known as the required local effort (RLE). The House proposal leans 80% on the RLE and the rest state support, which puts the bulk of additional K-12 education funding on the backs of property owners. Compromise on these issues will most likely unlock the budget negotiations, maybe as soon as later this week or weekend.

House and Senate Appropriations Committees have full meeting agendas this week, as does the Senate Education Appropriations Committee. This may be the last week these committees meet, making it difficult for bills left on their agendas to pass this session.

The Postsecondary Access and Accountability bill, **HB 7019**, passed the House last week. The bill mandates universities post the cost of required textbooks 45 days prior to the start of class, requires each state university to publically notice any proposal to increase tuition at least 28 days prior to it being considered at a BOT meeting, and requires the Board of Governors to annually identify strategies to promote college affordability. Please see this week's **Spotlight on Bills** section for information on additional bills that impact the SUS and where they stand in the process.

As always, feel free to contact me if you have questions or need copies of bills and their analysis. I can be reached at **(850) 644-4453** or **kdaly@fsu.edu**.

*Kathleen*

# SPOTLIGHT ON **BILLS**

**CS/SB 706 – Culinary Education Programs by Senator Thad Altman (R – Cape Canaveral)**, permits certain culinary education programs to qualify for an alcoholic beverages license for the sale of beer, wine, and distilled spirits (alcoholic beverages). The Department of Business and Professional Regulation (DBPR) regulates public food service establishments through its Division of Hotels and Restaurants and the sale and service of alcoholic beverages through its Division of Alcoholic Beverages and Tobacco (DABT).

The bill subjects culinary education programs licensed or permitted as food service establishments under ch. 509, F.S., to the sanitation rules of the Department of Health (DOH).

The bill defines a culinary education program to mean a program that educates enrolled students in the culinary arts, including preparation, cooking, and presentation of food, or a program that provides education and experience in culinary arts-related businesses. A culinary education program must be inspected by a state agency for compliance with sanitation standards. The culinary education program must be provided by a:

- State university;
- Florida college system institution;
- Career center;
- Charter technical career center;
- Nonprofit independent college or university that is located and chartered in this state, meets certain accreditation requirements, and is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program; or

- Nonpublic postsecondary educational institution.

The bill creates a special alcoholic beverages license for culinary education programs. The bill permits a culinary education program to qualify for a public food service license issued by the Division of Hotels and Restaurants in order for the program to also qualify for an alcoholic beverage license. The program would remain subject to the sanitation rules established by the DOH.

The bill explicitly provides that the special license does not authorize the culinary education program to conduct any activities that would violate alcoholic beverages laws, including certain age restrictions, or local law. A culinary education program with a special license may not sell alcoholic beverages by the package for off-premise consumption.

The bill passed the Health Policy Committee last week and will be heard in the Fiscal Policy Committee on Wednesday. A similar bill in the House, **HB 249 by Representative Jared Moskowitz (D – Coral Springs)** passed the House last week and is waiting to be heard in the Senate.

**SB 712 -- Compensation of Members of the Legislature by Senator Arthenia Joyner (D – Tampa)**, resets the annual salary of the presiding officers and other members of the Florida Legislature to \$57,000 and \$50,000 annually, beginning July 1, 2016. Beginning July 1, 2017, these amounts will be adjusted based on the average percentage in-

crease in the salaries of state career service employees for the preceding fiscal year. The bill reported unfavorably by the Governmental Oversight and Accountability Subcommittee last week. There is no House companion.

**CS/CS/SB 1050 -- Regulated Professions and Occupations by Senator Jeff Brandes (R – St. Petersburg)**, eliminates current business license requirements for certain regulated professions, but licensure requirements for individuals engaged in those professions remain intact. The affected professions are architects, **interior designers**, asbestos abatement consultants and contractors, and landscape architects.

The bill allows certain activities to be practiced without licensure, including nail polishing, low voltage landscape lighting, and low voltage communication cabling. The bill eliminates licensure and registration requirements for **athlete agents**, talent agencies, hair wrappers, body wrappers, and labor organizations. Licensure of branch offices for yacht brokers is also eliminated.

The bill was amended to delete the exemption proposed for veterinary acupuncture or veterinary massage. It removes joint and several liability of a licensed qualifying agent for a business organization offering architectural or interior design services, for any damages resulting from the actions of the organization. All provisions relating to certificates of authorization for the practice of profes-

sional geology and qualification of the organization by active licensed professional geologists in the state were removed from the bill.

A similar bill in the House, **HB 1187 by Representative James Grant (R – Tampa)** reported favorably by the Governmental Operations Appropriations Subcommittee last week and is now in the Regulatory Affairs Committee.

**SB 1230 – State University Fee Waivers by Senator Maria Sachs (D – Delray Beach)**, requires each state university to waive any or all application fees and tuition and related fees for certain graduate students (e.g., graduate assistants and associates), and specifies that such waivers must be funded from annual funds provided in the General Appropriations Act for the general operations of the university. The bill is waiting to be heard in the Appropriations Subcommittee on Education. A similar bill in the House, **HB 1311 by Representative Michelle Rehwinkel Vasilinda (D – Tallahassee)** is now in the Education Appropriations Subcommittee.

**CS/CS/HB 1365 – Competency-Based Education Pilot Program by Representative Ray Rodrigues (R – Ft. Myers)**, creates the Competency-Based Education Pilot Program within the Department of Education to provide an educational environment that allows students to progress based upon the mastery of concepts and skills. The bill authorizes the Commissioner of Education to waive State Board of Education rules relating to pupil progression and the awarding of credit. Applications to participate are limited to the P.K. Yonge Developmental Research School and the Lake, Palm Beach, and Pinellas County school districts. The bill:

- Requires the Department of Edu-

cation to develop an application; compile specific information related to student and staff schedules; provide participating schools with access to state-wide standardized assessments; and provide an annual report to the Legislature.

- Specifies reporting requirements for purposes of the Florida Education Finance Program.
- Outlines minimum provisions that must be included in the application.

The bill passed out of the House last week. A similar bill in the Senate, **CS/SB 1714 by Senator Jeff Brandes (R – St Petersburg)** reported favorably by the Appropriations Subcommittee on Education last Thursday.

**CS/CS/SB 204 – Music Therapists by Senator Jeff Clemens (D – Lake Worth)**, creates a new regulated profession, music therapists, in ch. 468, F.S., relating to clinical, counseling, and psychotherapy services. The bill requires music therapists to be regulated by the Department of Health (DOH) through a registration process in order to practice music therapy or hold oneself out as a music therapist, with certain exceptions. The bill requires biennial renewal of a music therapist's registration and authorizes the DOH to deny or revoke the registration or renewal for violations.

The bill establishes a title protection act for Music Therapists rather than a full licensure and regulatory structure. Application fees, and registration and renewal fees, are limited to \$50 each. Registration as a music therapist is predicated on passing a board certification examination and maintaining that certification.

The bill passed out of the Fiscal Policy Committee last week and is waiting to be heard by the full Senate. A similar bill in the House, **HB 571 by Representative Daphne Campbell (D – Miami Shores)** is in the Health Care Appropriations Subcommittee.

## **UPDATE ON BILLS**

**CS/CS/SB 686 – Government Accountability by Senator Don Gaetz (R – Destin)**, is an omnibus government accountability bill. The bill was amended by the Government Oversight and Accountability Subcommittee with the following changes:

- Deletes provisions regarding previous title of bill, legislative branch lobbying, executive branch lobbying, and investigations by the Commission on Ethics;
- Deletes provision regarding electronic filing of compensation reports and other information;
- Revises provisions regarding employment of members of the Legislature;
- Revises the definition of "public contractor;"
- Deletes the provisions expanding the offenses of bribery and unlawful compensation or reward for official behavior to include public contractors;
- Deletes provision renaming bid tampering offense as unlawful influence of the competitive solicitation process;
- Deletes provision regarding compliance with best practices for state agencies and judicial branch for internal controls to prevent fraud, waste, and abuse;
- Authorizes district school board members to visit schools, observe the management and instruction, give suggestions for improvement, and advise citizens with the view of promoting interest in education and improving the school;
- Revises the definition of "public funds" for extra compensation claims;
- Deletes various provisions regarding rewards and prosecution of extra compensation payments;
- Revises notification and consideration requirements for employees who meet criteria for a bonus scheme;

- Requires a unit of government or state university to consider various factors in determining amount of severance pay and provides existence of contract does not limit application of this provision;
- Deletes provisions regarding false claims against the state and civil actions for false claims;
- Amends ss. 112.534 and 117.01, F.S., relating to failure to comply; official misconduct, and regulation of notary publics, respectively, to incorporate by reference revisions made by this act;
- Reenacts s. 921.022(3)(d), F.S., relating to criminal punishment code; offense severity chart, to incorporate by reference revisions made by this act; and
- Authorizes the Commission on Ethics to render advisory opinions to any public officer, candidate for public office, or public employee regarding application of code of ethics for public officers and employees.

The bill reported favorably by the Community Affairs Committee last week and is now in the Appropriations Committee. A comparable bill in the House, **CS/HB 593 by Representative Larry Metz (R – Groveland, FSU Alum)** reported favorably in the Appropriations Committee last week and is on the House calendar.

**CS/SB 432 – Teacher Certification by Senator Travis Hutson (R – Palm Coast)**, creates an expedited pathway for an individual holding a Florida temporary educator certificate to earn a Florida professional educator certificate for grades 6-12. The bill was amended as follows:

- Requires a bill title change from STEM Teachers Pilot Program to Teacher Certification which provides alternative requirements for an applicant to earn a professional educator certificate;
- Removes the STEM Teachers Pilot

Program and reporting requirements; and

- Creates an expedited pathway for temporary certified teachers who meet certain requirements in the area of science, technology, engineering, or mathematics to receive a professional certificate for grades 6-12.

The bill reported favorably by the Appropriations Subcommittee on Education last week and is now in the Appropriations Committee. The identical bill in the House, **CS/HB 189 by Representative Manny Diaz (R – Hialeah Gardens)** passed out of the House and is waiting to be heard in the Senate.

**CS/CS/HB 887 – Computer Coding Instruction by Representative Janet Adkins (R – Fernandina Beach)**, promotes student access to education in computer science and related fields. The K-12 Subcommittee adopted a strike all amendment and reported the bill favorably as a committee substitute. The strike all amendment:

- Requires the Higher Education Coordinating Council (HECC) to provide recommendations to the Board of Governors and the Legislature that identify:
- High school courses in computer science, including computer coding and computer programming that may be used to satisfy state university admissions requirements for foreign language, math, and science.
- Common academic and technical skills needed for students to help meet projected labor market demands in computer science, information technology, and related fields in Florida.
- How middle and high school students, including underrepresented and nontraditional students, can be encouraged to pursue further studies and careers in com-

puter science, information technology, and related fields.

- Secondary course sequences which prepare students to succeed in postsecondary educational programs in computer science, information technology, and related fields.
- Gaps in current policy, curricula, programs, and practices that inhibit students from pursuing postsecondary education and careers in computer science and related fields.
- Appropriate educator qualifications and computer science pedagogy to maintain technologically current instructional knowledge and practices in teacher preparation programs.
- Common definitions for terms related to computer science, including terms such as computer coding and computer programming, for consistent use across the Florida K-20 education system.
- Requires the Commissioner of Education to establish academic standards for computer science, coding, and programming and identify high school-level courses that incorporate the standards in the Course Code Directory.
- Requires the Florida Virtual School to offer the identified courses and requires school districts that do not offer an identified course to provide access to the course through the Florida Virtual School or through other means.
- Requires the State Board of Education to work with the Board of Governors and school districts to develop strategies for recruiting and supporting computer science teachers.

The strike all amendment eliminates the bill's requirement that state universities and Florida College System institutions accept certain computer coding courses as satisfying foreign language admissions requirements. The amendment also eliminates the

bill's requirement that districts develop and submit a computer coding curriculum plan.

The bill is waiting to be heard by the full House. The Senate companion **SB 468 by Senator Jeremy Ring (D – Margate)**, is waiting on the Senate calendar for hearing by the full Senate.

**CS/CS/HB 719 – Education Personnel by Representative Ross Spano (R – Riverview, FSU Alum)**, revises provisions relating to mandatory reports of child abuse, abandonment, and confidentiality of reports and records in cases of child abuse or neglect. The bill also allows the Department of Education (DOE) to sponsor the centrally located job fair. In addition, the bill requires DOE to coordinate a best practice community to help school district personnel responsible for teacher recruitment and other human resources functions operate with the most up-to-date knowledge in these areas. The bill passed out of the House and is waiting to be heard in the Senate. A similar bill in the Senate, **CS/SB 894 by Senator Nancy Detert (R – Venice)** reported favorably by the Appropriations Committee last week and is

now on the Special Order Calendar in the Senate.

**HB 1147 – Character-development Instruction by Representative Chris Latvala (R – Clearwater)**, requires character-development programs be provided in high schools. The bill passed out of the Education Committee last week and is now waiting to be heard by the full House. A similar bill in the Senate, **SB 1462 by Senator Jack Latvala (R – Clearwater)** is on the Education Appropriations Committee agenda for Wednesday.

**CS/HB 7107 – Public Employees by Representative Matt Caldwell (R – Lehigh Acres)**, changes the default from the pension plan to the investment plan for members who do not affirmatively choose a plan. The bill also extends the plan election period to the last business day of the eighth month after the month of hire, etc. The bill passed out of the Appropriations Committee and is on the calendar for hearing by the full house tomorrow. A comparable bill in the Senate, **SB 7014 by Senator Jeremy Ring (D – Margate)** is awaiting a hearing in the Appropriations Committee.

**CS/SB 350 – Online Procurement by Senator Bill Montford (D – Tallahassee, FSU Alum)**, authorizes district school boards, Florida College System institution boards of trustees and university boards of trustees to make purchases through an online procurement system, electronic auction service, or other efficient procurement tool. The bill passed out of the House last week and will go to **the Governor for signature**.

**HB 7043 – Education by Representative Erik Fresen (R – Miami, FSU Alum)**, creates the Florida College System Performance-based Incentive for Florida College System institutions and the Florida Best and Brightest Teacher Scholarship Program. The bill revises provisions relating to preeminent state research universities program, state university system performance-based incentives, and teacher liability insurance, etc. The bill passed out of the House last week and will now go to the Senate. There are several Senate bills moving through the process that contain provisions of HB 7043.

## SESSION SCHEDULE

### SENATE SESSION

TUESDAY, **FEBRUARY 23**, 10:00 a.m.  
to 12:00 noon  
WEDNESDAY, **FEBRUARY 24**, 4:00 p.m.  
to 6:00 p.m.

### HOUSE SESSION

TUESDAY, **FEBRUARY 23**, 10:00 a.m.  
until completion  
WEDNESDAY, **FEBRUARY 24**, 10:00 a.m.  
until completion



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