



After two months of debate and negotiations, the 2006 Legislative Session came to a close just before midnight on Friday, May 5. The overall tone of this year's session was one of respect and good spirits, and it was also a very successful session for Florida State University.

The Legislature passed a highest-ever \$71 billion state budget on Friday. While funding for enrollment growth at state universities fell short of what was requested, additional funds were allocated for increased utility costs, the escalating price of building materials, and to cover the shortfall created by the in-state/out-of-state student ratio. In addition, FSU received additional dollars to expand the operations of its medical school. For a complete budget summary, please see the related story.

In addition to the budget, several bills favorable to state universities in general and Florida State in particular passed the Legislature and are awaiting the Governor's signature. The most significant of these is the World Class Scholars bill, HB 1237, which creates the SUS Research and Economic Development Investment Program. The REDI Program establishes criteria that state universities must meet to participate, and allocates \$36.5 million in non-recurring dollars for the University of Florida and FSU to divide. These funds will greatly enhance our Pathways to Excellence campaign. Also, after 5 years, the Legislature finally passed a university naming bill, which authorizes the naming of several buildings on our campus. A complete list of bills of interest that passed, and those that did not, are included in this newsletter.

The Governor has not yet received the budget, but is expected to act on it within the next few weeks, along with the substantive legislation we are tracking. After the Governor's vetoes have been issued and the budget signed, a final edition of LegisLetter will be distributed.

I want to thank all of you for your valuable input, comments and advice these past few months. I always appreciate hearing from you.

Kathleen

STATE UNIVERSITY SYSTEM BUDGET UPDATE

Below is a summary of SUS and particularly Florida State University's budget issues.

OPERATING BUDGET

1. Overall **8.5%** increase in funding over the 2005-06 year.
2. **Tuition Increases and Proviso Language**
 - a. 3% resident undergraduate. Increases the per credit hour tuition by \$2.14, from \$71.57 to \$73.71.
 - b. UBOT flexibility to increase graduate, professional and out-of-state fees not to exceed 5% for students enrolled prior to the fall of 2006
 - c. UBOT flexibility to increase graduate, professional and out-of-state fees not to exceed 10% for students enrolled after the fall of 2006
 - d. Tuition and out-of-state fees may not be lower than the rates in effect in 2005-06
3. **Salary Increases** – a 3% salary increase is provided, effective–**October 1, 2006**
4. **Enrollment Growth**
 - a. **\$54.5 million** in state funds to support 7,448 full time equivalent students. **FSU - \$6.6 million**
 - b. Fully funds the 37 medical students at UF and 58 medical students at USF
5. **Utility Increases** – fully funded the BOG request of–**\$20.7 million, FSU - \$2,414,397**
6. **Ratio of In-state / Out-of-state students - \$32.7 million, FSU - \$6.2 million**
7. Major Gifts - **\$64.2 million** fully funds requests received through February 21, 2006, **FSU – \$15,272,063**

8. FIXED CAPITAL OUTLAY

- a. PECO Projects – Funds **\$445 million** in projects. This is an increase of \$ 42.5 million over the House Bill and \$85.8 million over the Senate Bill.
- b. Funds BOG Budget Request for Cost Overruns - **\$56.5 million** from PECO (BOG had requested from General Revenue) **FSU - \$18,950,000**

FSU PECO:

Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	\$ 6,400,000
Life Sciences Teaching & Research Center (C, E)	\$ 3,500,000
Neuroscience & Reading Institute (C, E)	\$11,869,540
College of Education Building Expansion (P)	\$ 600,000
Administrative Services Center Panama City (C, E)	\$ 3,878,728
Thagard Health Center	\$ 7,500,000
College of Medicine Expansion – Daytona Beach	\$ 2,100,000
College of Medicine Expansion – Ft. Pierce	\$ 2,100,000
College of Medicine Expansion – Immokalee	\$ 4,000,000
Panama City Campus – Academic Building	\$ 7,992,000
TOTAL	\$49,940,268

9. MEDICAL SCHOOL – 2006 phase-in, \$2,299,000

Medical School Branch Campus Operating

- Ft. Pierce Clinical Training Site – FSU-MS,
\$1,891,018, recurring
\$1,483,982, non-recurring
- Immokalee Clinical Training Site – FSU-MS,–
\$1,232,633, recurring
\$ 967,337, non-recurring
- Panama City Clinical Training Site – FSU-MS,–
\$560,301, recurring
\$439,699, non-recurring
- Daytona Beach Clinical Training Site – FSU-MS,–
\$1,891,018, recurring
\$1,483,982, non-recurring

10. Bonding – Proviso - Funds are provided contingent upon each university and university direct support organization following the debt management policy as adopted by the Board of Governors on January 26, 2006, and the Debt Management Guidelines as adopted by the Board of Governors on April 27, 2006, for the financing of any fixed capital outlay project through any financing mechanism, including but not limited to, revenue bonds, promissory notes, certificates of participation, lease-purchase agreements or any other form of indebtedness. Only the assets and revenues specified in the Board of Governors Debt Management Guidelines shall be permitted as security for any form of indebtedness, including certificates of participation, and shall be subject to all limitations or exceptions contained in the Board of Governors' policy and Debt Management Guidelines. Any assets or revenue sources validly pledged to secure debt pursuant to this section shall remain as security for such debt through the maturity date. The requirement that all university and direct support organization debt adhere to the Board of Governors' policy and guidelines shall apply prospectively to all university and direct support organization debt, and shall not adversely affect any university or direct support organization debt currently outstanding or projects approved by the Board of Governors or University Boards of Trustees prior to, or existing, as of January 26, 2006.
11. Nursing Masters and PhD portion of NET Gain - **\$3.6 million**
 - a. Proviso requires the universities to report on the progress relating to numbers of new students admitted in post-graduate nursing programs and the projected time-lie for completion to the BOG, Senate and House by **February 1, 2007**. Students enrolled in post-graduate nursing programs receiving these funds shall commit to practice in Florida for at least 3 years, and agree to repay any tuition or stipends provided by these universities for failure to comply with this commitment.
12. SUCCEED, FL - **\$8.85 million** is provided in the university portion of the budget, with an additional \$20 million in the community colleges budget for Nursing and allied health, teaching, and manufacturing and automotive technology programs. \$10.6 million of these funds are for programs initiated in 2005-06.
13. 2+2 Partnership Baccalaureate Incentives - **\$1 million** is appropriated in the university portion of the budget, with an additional \$2,045,000 appropriated in the community college and private colleges & universities portion of the budget. Proviso requires these funds to be awarded to eligible community colleges, private colleges & universities and state universities based on the eligible full-time equivalent enrollment in each 2+2 partnership baccalaureate program during the 2006-07 academic year. The participating community college and partner institution shall receive equal proportions of the per student incentive award. Programs with partnership articulation agreements to provide 2+2 baccalaureate degree programs at a community college are eligible for incentive funding. Community colleges shall submit applications requesting funds for eligible programs and the programs participating partner by April 15, 2007.
14. Proviso language continues to require the Department of Education to provide support services to the BOG in the areas of accounting, printing, computer and internet support, personnel and human resources support, support for accountability initiatives, support for agency inspector general activities, and administrative support as needed for trust funds under the jurisdiction of the BOG.
15. Proviso language allows UBOTs to grant out-of-state fee waivers on a temporary basis to students (impacted by hurricane Katrina) who originally enrolled in a state university under the provisions of Executive Order 05-176 and who have maintained continuous enrollment since that time.
16. Florida Diagnostic and Learning Resource Center — **\$594,558**
17. FSU Autism Program - **\$1,058,766**
18. Public Broadcasting – Television Stations, **\$585,559**; Radio Stations, **\$111,945**
19. Civic Center Debt Service Payment - **\$5,000,000**
20. Oceans and Coastal Research Council - **\$3,000,000**
21. First District Court of Appeals Expansion - **\$1,800,000**

Spotlight on Bills

Bills that Passed the Legislature

HB 1237 - Postsecondary Education Programs by Representative David Mealor (R – Lake Mary), creates the 21st Century Technology, Research, & Scholarship Enhancement Act which allocates \$20 million in state matching funds to attract world scholars to the university system. The bill also allocates \$30 million for the Centers of Excellence program, the criteria of which will be determined by the Board of Governors. Finally, the bill creates the State University System Research and Economic Development Investment Program and establishes institutional eligibility criteria that is favorable to Florida State University and the University of Florida and allocates a matching \$36.5 million fund for those universities. Effective July 1, 2006

CS/SB 1086 - University Building Designation by Senator Dennis Jones (R – Seminole), designates several university system buildings including the John M. McKay Visitors' Pavilion at John & Mabel Ringling Museum of Art, the Reubin O'D. Askew Student Life Center, the Sherrill Williams Ragans Hall, the John Thrasher Building, the Mike Martin Field at Dick Howser Stadium, and the JoAnne Graf Softball Field at Florida State University. Effective July 1, 2006.

HB 2434 - Travel To Terrorist States by Senator Mike Haridopolis (R – Melbourne), prohibits use of any state or non-state funds made available to community colleges and state universities to implement, organize, direct, coordinate, or administer activities related to or involving travel to a terrorist state. Effective July 1, 2006

HB 795 - Student Financial Assistance by Representative Anitere Flores (R – Miami), creates the First Generation Matching Grant Program to provide financial aid to undergraduate students with financial need whose parents have not earned a baccalaureate degree. The bill provides for appropriation, allocation, & distribution of funds and provides student eligibility requirements. Funds that remain unmatched as of December 1 shall be reallocated to state universities that have remaining unmatched private contributions for the program. The bill included an appropriation of \$14,000,000. Effective July 1, 2006

HB 1027 - Biomedical Research by Representative Adam Hasner (R – Delray Beach, FSU Alum), authorizes the use of funds in the Biomedical Research Trust Fund for

purposes of William G. "Bill" Bankhead, Jr., & David Coley Cancer Research Program. The bill authorizes the Legislature to annually appropriate funds to James & Esther King Biomedical Research Program, Fla. Center for Universal Research to Eradicate Disease, & Johnnie B. Byrd, Sr., Alzheimer's Center & Research Institute, and deletes funding for the School of Chiropractic at FSU. Effective July 1, 2006 except as otherwise provided.

SB 428 - Travel Expenses/Reimbursement by Senator Al Lawson (D – Tallahassee, FSU Alum), revises per diem, subsistence, & mileage rates for purposes of reimbursement of travel expenses of all public officers, employees, and authorized persons whose travel is authorized and paid by a public agency. The bill increases the rate of per diem to \$80.00 per day, increases meals to \$36.00 per day, and increases the mileage rate to 44.5 cents per mile. Effective July 1, 2006

CS/SB 2548 - State Financial Matters by Senator Lisa Carlton (R – Osprey), prescribes forms of payment that may be included in certain contracts involving State University System or Florida Community College System. Redefines fixed-price contract, fixed-rate-per-unit contract and, cost reimbursable contract involving the State University System and state agencies. Effective July 1, 2006 except as otherwise provided.

HB 7087 - The Florida A++ Plan by Representative Raphael Arza (R – Hialeah), reviews proposed federal education plans and specifies that the mission of state's K-20 education system is to provide high quality, rigorous, and relevant learning opportunities for students. The bill requires legislative approval of the revised state plan to implement certain federal requirements and requires maintenance of uniform school district personnel classification system. The bill creates the Florida Center for Reading Research at Florida State University and includes two outreach centers, one a central Florida community college and one at a south Florida state university, with no additional funding attached. Effective upon becoming law.

SB 135 - Charter Schools by Representative Ron Greenstein (D – Coconut Creek), establishes the Florida Schools of Excellence Commission as a charter school authorizing entity and provides powers & duties of commission, including serving as sponsor of said schools, approving certain entities to act as cosponsors, approving or denying applications for Florida Schools of Excellence (FSE) charter schools, & developing standards for & evaluating

performance of cosponsors & charter schools. Effective July 1, 2006.

HB 263 - Florida Prepaid College Program by Representative David Mealor (R – Lake Mary), renames said program and authorizes funds in Fla. Prepaid Tuition Scholarship Program to be used for certain approved scholarship programs. Additionally, the bill deletes restrictions on types of postsecondary educational institutions to which qualified beneficiary may apply his or her benefits under said program. The bill requires direct-support organization of Fla. Prepaid College Board to administer said program. Effective July 1, 2006

SB 122 - Tuition Waivers/Purple Heart by Senator Mike Fasano (R – New Port Richey), requires state universities & community colleges to waive tuition for recipient of Purple Heart or other combat decoration superior in precedence who fulfills specified criteria. The bill provides percentage cap on number of required credit hours for which tuition waiver may be received. Effective July 1, 2006

SB 2000 - Ethics/Public Officers & Employees by Senator Bill Posey (R – Rockledge), prohibits employees of the state and its political subdivisions from participating in political campaigns and prohibits certain disclosures or use by former public officers, agency employees, or local government attorneys. Additionally, the bill clarifies that existing post-employment restrictions apply to certain agency employees; redefines term "expenditure" for purposes of provisions



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governing lobbying before Legislature. Effective October 1, 2006 except as otherwise provided.

SB 2034 - Education/Spouses/Disabled Veterans by Senator Carey Baker (R – Eustis), provides that it is declared policy of state to provide educational opportunity at state expense for spouses of deceased or disabled service members and provides criteria for qualification for such benefits for un-remarried spouses of deceased service members & dependent spouses of disabled service members. The bill specifies uses of funds appropriated for such educational opportunities. Effective July 1, 2006

HB 7087- Education by Representative Rafael Arza (R – Hialeah), authorizes the Legislative Budget Commission to review the state plan to implement federal requirements and revises the mission of Florida's K-20 education system. The bill creates a Just Read, Florida! Office at the DOE and deletes requirement that certain children receive preference for admission to special academic programs even if maximum enrollment has been reached. Additionally, the bill establishes revised general requirements for high school graduation. Effective upon becoming law.

HB 5005- Education Funding by Representative Joe Pickens (R – Palatka), revises the use of excise taxes on documents distributed to Public Education Capital Outlay & Debt Service Trust Fund. The bill allows slot machine tax revenue to be made available for bond payments if necessary to comply with bond covenants and revises the schedule of implementation of class size compliance at district & school levels. Additionally, the bill revises charter school capital outlay funding eligibility criteria and allocation of funds. Effective July 1, 2006 except as otherwise provided.

Bills of Interest that Did Not Pass

HB 7257 - University Governance by the Colleges & Universities Committee, revises, creates, and clarifies provisions relating to the Board of Governors of the State University System, state university boards of trustees, State Board of Education, Commissioner of Education, DOE, and postsecondary educational institutions.

HB 15 - Sales Tax Exemption/Textbooks by Representative Anitere Flores (R – Miami) and SB 1554 by Senator Mike Haridopolis (R– Melbourne), exempts certain textbooks from tax on sales, use, & other transactions; provides requirements & definition.

HB 32 - Relief/Darling & Smith/FSU by Senator Al Lawson (D – Tallahassee, FSU Alum) and HB 289 by Representative Curtis Richardson (D- Tallahassee, FSU

Alum), provides for relief of Dennis Darling, Sr., & Wendy Smith, parents of Devaughn Darling, deceased, for loss of their son, Devaughn Darling, while he was engaged in football preseason training on F.S.U. campus. CLAIM WITH APPROPRIATION: \$1,800,000.

HB 119 - Higher Education Finance/Residents by Representative Juan Zapata (R – Miami) and SB 366 by Senator Frederica Wilson (D – Miami), revises provisions for the determination of resident status for tuition purposes and provides conditions for reclassification as a resident for tuition purposes. The bill requires that evidence be provided regarding legal residency and dependent status. Additionally, the bill provides requirements for student eligibility for state financial aid awards and tuition assistance grants.

HB 129 - Firearms/Motor Vehicle by Representative Dennis Baxley (R – Ocala, FSU Alum)–and SB 206 by Senator Durell Peadar (R – Crestview), amends specified provision re lawful ownership, possession, & use of firearms & other weapons; authorizes employee or invitee in lawful possession of firearm to transport & store firearm in motor vehicle under certain conditions; authorizes employer or its lessor to prohibit employee or invitee from transporting, storing, or possessing firearm under certain conditions when reasonably necessary for safety & welfare.

HB 137 - Baccalaureate Degree Programs by Representative Stan Mayfield (R-Vero Beach) and SB 1658, by Senator Evelyn Lynn (R- Ormond Beach), provides that community colleges that grant baccalaureate degrees remain under the authority of the State Board of Education and requires said colleges to maintain their primary mission and prohibits termination of associate degree programs. Additionally, the bill provides guidelines and restrictions for setting tuition and out-of-state fees for upper division courses.

HB 205 - Student Financial Assistance by Representative Dick Kravitz (R – Orange Park) and SB 458 by Senator Stephen Wise (R – Jacksonville), requires each state university & community college to report information regarding certain funds used to provide financial assistance to certain students, defines term “eligible Florida resident” and, provides for redirection of funds to provide additional need-based financial assistance to eligible Florida residents.

SB 366 - Resident Status for Tuition Purposes by Senator Frederica Wilson (D – Miami), revises definitions and provides conditions for reclassification as resident for tuition purposes and requires that evidence be provided regarding legal residency and dependent status. The bill provides duties of institutions of higher education, updates

obsolete terminology, provides additional categories within which students may be classified as residents for tuition purposes and limits eligibility for award of state financial aid.

HB 717 - State University Student Fees by Representative Anitere Flores (R – Miami) and SB 1229 by Representative David Meador (R – Lake Mary), increases the cap on local fees and removes the annual cap on increases in local fees. The bill authorizes each university board of trustees to establish a technology fee and requires recommendations by a technology fee committee. Additionally, the bill requires final approval of the fee by the university board of trustees and provides fee limitations and excludes said fee from award under Florida Bright Futures Scholarship Program.

SB 1016 — Independent Collegiate Assistance by Senator Stephen Wise (R – Jacksonville) and HB 387 by Representative Pat Patterson (R— DeLand), creates the Florida Independent Collegiate Assistance Grant Program to provide grants to certain students who attend nonpublic institutions of higher education and who are enrolled in programs leading to specified occupations. The bill requires DOE to administer program and provides requirements for criteria and priorities for funding. Additionally, the bill requires OPPAGA to make certain assessments and submit a report to the Legislature. While the bill did not pass, \$2.5 million was appropriated for FICA in the general appropriations act

SB 1930 - Educational Facilities/Planning Use by the Governmental Efficiency Appropriations Committee, requires that utilization standards for educational space be updated periodically and increases the minimum room utilization rate for postsecondary class rooms.

SB 2380 -School District Funding by Senator Lisa Carlton (R – Osprey), increases the amount that a district school board may spend for new construction of educational plant space and revises requirements for calculating the number of students per classroom for fiscal year 2006-2007.

HB 7097 — Postsecondary Education by the Community Colleges and Workforce Committee and SB 2326 by Senator Carey Baker (R – Eustis), authorizes an articulation agreement for delivery of associate in applied science degree programs by career centers and provides for charter technical career center to use designation “technical college”. The bill revises provisions regarding the establishment of inter-institutional mechanisms by public postsecondary educational institutions and establishes School District Career Center Facility Enhancement Challenge Grant Program.