



LegisLetter

FLORIDA STATE UNIVERSITY GOVERNMENTAL RELATIONS

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The worry lines deepened last week as Florida's economic news went from bad to worse. State revenue forecasters estimated a \$3.2 billion shortfall in general revenue during the next 15 months. This news came on the eve of a vote last Wednesday that carved another half billion dollars out of the current year's state budget. And to top it all off, the state's economists say Florida has not yet seen the bottom of this fiscal downturn (**see related story**).

Meanwhile, the Senate Higher Education Appropriations Committee heard a joint resolution last week that would alter the make-up and duties of the Board of Governors, as well as reinstate an elected Commissioner of Education in Florida. The resolution passed and is now awaiting a hearing by the full Senate sometime this week. The proposal is on a similar path in the House (**see Spotlight on Bills**).

This week, week three of the nine-week session, will be a short one due to the Easter holiday. It may also be the last week for committee meetings in the House, although the councils and budget committees will continue to meet for a few more weeks.

As always, please feel free to contact me if you are interested in copies of bills and their analyses, or have questions, comments and concerns about the legislative process. I can be reached at **(850) 644-4453** or **kdaly@fsu.edu**.

Kathleen

Revenue Shortfalls Increase

The State's economists met last week to lower Florida's two-year revenue estimate by over \$3 billion over a 15 month period.

Since the General Revenue Estimating Conference last met in mid-November, there has been continued tightening of credit market conditions, escalating energy prices, falling employment and further deterioration in the housing market as the nation faces an economic contraction. In response, the Revenue Estimating Conference has reduced its General Revenue outlook by over \$3 billion for Fiscal Years 2007-08 and 2008-09, combined. Collections for Fiscal Year 2007-08 are expected to be \$1.0 billion or 3.9% below the estimate from November. For Fiscal Year 2008-09, expected revenues were reduced by \$2.2 billion or about 7.3% from the earlier forecast.

It is anticipated that it will be fiscal year 2010-11 before Florida's tax collections are expected to return to their 2005-06 levels, when construction was booming after four hurricanes in two years.

Legislators will receive their budget allocations sometime this week and begin crafting the 2008-09 state spending plan.

Press Skits

The 53rd sometimes annual press corps skits are scheduled Monday, March 17 at the Moon. Tickets are \$20 and can be obtained by calling The Associated Press at 224-1211, the New York Times Regional Group's Joe Follick 556-7518 (cell) or Nadia at the St. Pete Times, 224-7263. Program begins at 8 p.m. Doors open at 7:30.

Spotlight on Bills

H297 – Gifted and Academically Talented Student Education, by Representative John Legg (R – Port Richey), requires DOE to develop screening procedures & eligibility criteria for identification of gifted or academically talented students. The bill requires DOE to develop model gifted and academically talented student education programs and procedures for evaluation thereof. Additionally the bill requires district school board implementation and, requires state-approved teacher preparation programs to incorporate related instruction, etc. The bill was amended and passed out of the Education Innovation & Career Preparation Committee last week. A similar bill in the Senate, **SB 990 by Senator Stephen Wise (R – Jacksonville)** has been referred to the Education Pre-K – 12 and Education Pre-K – 12 Appropriations committees.

HJR 7005 – Taxpayers’ Bill of Right by Government Efficiency & Accountability Council, amends the Taxpayers’ Bill of Rights contained in Article I, section 25 of the Florida Constitution to add the entitlement to a full and fair opportunity to challenge the government’s assessment of the valuation of property for purposes of all taxation. It also: specifically removes the property appraiser’s presumption of correctness; places the burden of proof by a preponderance of the evidence upon the property appraiser in an assessment challenge; finds evidence that an assessment is based upon an appraisal practice different from those applied to comparable property within the state to be relevant to the determination of just valuation; and provides for reasonable attorneys fees and costs incurred in the assessment challenge under appropriate circumstances to be specified by general law. The bill requires both the joint resolution and the implementing legislation concerning assessment challenges to have an effective date no later than January 1, 2009. The resolution is awaiting hearing in the Policy and Budget Council. A similar bill in the Senate, **SB 2334 by Senator Don Gaetz (R – Ft. Walton Beach)** has been filed.

HB 1283 – Ad Valorem Tax Assessment Value Challenges by Representative Dean Cannon (R – Winter Park), revises the criteria for burden of proof in ad valorem tax assessment value challenges and deletes provisions relating to the presumption of correctness of the property appraiser’s assessments. The bill specifies the burden of proof for property appraisers in actions challenging denial of exemptions or assessment classifications and provides legislative intent relating to taxpayer burden of proof. The bill is awaiting hearing in the Policy and Budget Council. A similar bill in the Senate, **SB 678 by**

Senator Mike Fasano (R – New Port Richey) has been referred to the Community Affairs, Judiciary, Finance and Tax and, Education Pre-K - 12 Appropriations committees.

SB 1700 — Seminole Tribe of Florida/ Mutual Aid Agreements by Senator Michael Bennett (R – Bradenton) authorizes the Seminole Tribe of Florida to enter into any existing mutual aid plan, arrangement, or agreement. The bill requires the Division of Emergency Management and the Department of Law Enforcement to abide by the terms of such plan, arrangement, or agreement and provide assistance, etc. The bill passed out of Military Affairs and Domestic Security and is awaiting hearing in the Criminal Justice committee. A similar bill in the House, **HB 1273 by Representative Ron Reagan** has been referred to the Government Efficiency & Accountability and Policy & Budget councils.

SB 2210 – Student Financial Aid by the Higher Education Committee, revises the William L. Boyd, IV, Florida Residence Access (FRAG) grant program and the Access to Better Learning and Education (ABLE) grant program in the following ways:

- The programs will be based on a student’s unmet financial need at the institution where he or she is enrolled;
- A student who receives one of the grants must maintain at least a 2.25 grade point average on a 4.0 scale and must earn 12 hours of academic credit for each semester that an award is received;
- Institutions participating in the FRAG and ABLE programs must have a retention rate that is no more than 2 standard deviations below the mean retention rate for all baccalaureate degree granting institutions in Florida, as reported to the federal Integrated Postsecondary Education Data System;
- An institution must remit to the DOE the amount of a grant that was expended for any student who did not maintain a 2.25 grade point average or earn 12 hours of academic credit during the term of the grant; and
- The duration of a grant is reduced from 9 semesters to 8.

The bill was heard in the Higher Education Committee last week. There is no House companion at this time.

HB 1397 – Alternative Energy by Representative Marti Coley (R – Marianna, FSU Alum), creates a distributed alternative energy generation development initiative and authorizes certain state agencies, universities, and private sector entities to develop and operate distributed alternative energy generation

SESSION SCHEDULE

SENATE SESSION

Thursday, March 20
10:00, a.m. until completion

HOUSE SESSION

Wednesday, March 19
11:50 a.m. to 12:50 p.m.

pilot projects. The bill requires electric utilities to provide pilot projects with specified interconnection, net metering, transmission and distribution, and backup and standby power services, etc. The bill has been referred to the Energy Committee and Environment & Natural Resources Council. The identical bill in the Senate, **SB 2840 by Senator Steve Oelrich (R – Gainesville, FSU Alum)** has been filed.

CS HB 173 – Controlled Substances by Representative Nick Thompson (R – Ft. Myers), defines “cultivating” for specified purposes and prohibits owning, leasing, or possessing a place, structure, trailer, or other described place with knowledge that it will be used to manufacture, sell, or traffic in controlled substance. The bill provides that possession of a specified number or more of cannabis plants is prima facie evidence of intent to sell or distribute, etc. The bill passed out of the Policy and Budget Council and is awaiting hearing by the full House. The Senate companion, **SB 390 by Senator Steve Oelrich (R – Gainesville, FSU Alum)** has been referred to the Criminal Justice; Judiciary; Criminal and Civil Justice Appropriations committees.



Office of GOVERNMENTAL RELATIONS

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