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Budget Summary

The House and the Senate Higher Education Appropriations Committee released their proposed 2008-09 budgets late last week. Highlights include:

- \$113 M in GR reductions
- \$66 M in Lottery addbacks
- 6% tuition increase
- Full funding of 2008-09 PO&M for New Facilities
- No Year 2 funding for UCF/ FIU medical schools
- No funding for major gifts
- No funding for centers of excellence
- 5 positions and a 10% cut to the Board of Governors' Office

The House is recommending a 5.85% cut from of the current year's spending while the Senate is recommending a 6.30% cut for FY 2008-09 for the State University System. They do add back lottery dollars and propose a tuition hike to lessen the cuts. This week and next, both chambers will be discussing, amending and passing their respective spending plans.

Now the fun begins. This week marks the halfway point of the 2008 Legislative Session and things are really getting interesting. Both the House and the Senate released the first drafts of their spending plans for next year. They are miles apart in how they appropriate the funds and will spend the next few weeks discussing and amending their respective plans (**see related story**).

The joint resolution that would reduce the powers and duties of the Board of Governors, and allow for an elected Education Commissioner, passed the full Senate last week, 33-4. The proposal will be heard in the House Policy and Budget Committee later this week before heading to the full House for a final vote.

Several substantive bills are still churning through the process. The proposal to cap distance-learning fees to 10 percent of tuition at universities and community colleges will get another hearing in the Senate this week. The bill that would limit financial aid for M1- and F1-visa students will be heard in the House Schools and Learning Committee tomorrow. And energy-related proposals are moving in both the House and Senate (**see the Spotlight on Bills section and related story**).

You can catch live and taped coverage of this exciting part of the session on the Florida Channel, which airs 24 hours a day, seven days a week on local cable channel 4. As always, please feel free to contact me if you have questions about legislation or need copies of a bill and its analysis. I can be reached at **(850) 644-4453** or **kdaly@mailers.fsu.edu**.

Kathleen

Energy Issues

Among the many issues being addressed during this legislative session, energy issues have been on the top of the Legislature's radar screen. While there are numerous bills addressing energy, both the House and the Senate have introduced bills that encompass most of the issues addressed in the smaller bills. Following is a summary of the major aspects of these bills:

SB 1544, Environmental Preservation and Conservation, by Senator Burt Saunders (R - Naples)

is a comprehensive bill to promote energy conservation, energy security and the reduction of greenhouse gas emissions in Florida. Many of the bill's measures directly affect and regulate state agencies including public universities. The bill creates scheduled increases in the energy-efficiency performance of buildings subject to the Florida Building

Code, and requires that government entities perform an evaluation of life-cycle costs before constructing or leasing any facility. Under this bill, state entities must adopt LEED standards for new construction and existing buildings. All state entities must also collect data on energy consumption and cost for any existing facility of 5,000 or more net square feet. The bill requires state entities to enter into contracts for meeting space only with hotels or conference facilities that meet the Department of Environmental Protection's (DEP) 'Green Lodging' designation. The bill requires state entities to select vehicles for purchase or lease for the greatest fuel efficiency available for a given use class, and to use ethanol and biodiesel-blended fuels when available. The bill creates an additional class of projects that are eligible to receive funding under Enterprise Florida's Innovation Incentive Program, being alternative and renewable energy projects. The bill also requires that eligible projects demonstrate significant collaboration with an institution of higher learning, among other criteria. The bill expands the Renewable Energy Technologies Grants Program to include research and development in energy efficiency for vehicles and buildings. This bill also allows the DEP to implement a cap-and-trade program to reduce greenhouse gas emissions and stipulates certain requirements and oversights for such a program.

The bill also strengthens incentives for state agencies to enter into guaranteed energy performance savings contracts. Finally, this bill creates the Florida Energy Systems Consortium, which will promote collaboration among experts at five institutions within the State University System (including FSU) for the purpose of developing a comprehensive, sustainable and efficient energy strategic plan for Florida. The consortium will be administered at the University of Florida, and will be managed by an oversight board consisting of the Vice Presidents for Research at the five member institutions. The bill was voted favorably by the Environmental Preservation and Conservation Committee, and by the Communications and Public Utilities Committee on last week. A similar Proposed Committee Bill ENRC 08-01 is currently being discussed and will be voted on in the House Energy Committee soon.



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SESSION SCHEDULE

SENATE SESSION

Wednesday, April 2,
2:30 p.m. to 6:30 p.m.

Thursday, April 3,
1:00 p.m. to 4:30 p.m.

HOUSE SESSION

Wednesday, April 2,
11:00 a.m. to 6:00 p.m.

Friday, April 4,
8:00 a.m. to 12:00 noon

Spotlight on Bills

SB 2816 — Opening of Public K-12 Schools by Senator Bill Posey (R - Rockledge), allows a district school board to adopt opening dates for the school year earlier than 14 days before Labor Day if it meets the following requirements: holds public hearings throughout the school district; surveys the parents of all enrolled public school students in the district; and approves the earlier opening date by a unanimous vote. The bill also provides an exception to these requirements for schools that operate under a year-round school year or an extended calendar. The bill passed out of the Education Pre-K 12 Committee last week. There is currently no House companion.

SB 2692 — Teaching Chemical and Biological Evolution by Senator Rhonda Storms (R - Brandon), creates the Academic Freedom Act to protect public school teachers who objectively present scientific information relevant to the full range of scientific views regarding chemical and biological evolution. The bill also protects public school students from being penalized if they ascribe to a particular view regarding the theory of evolution. The House companion, **HB 1483 by Representative Alan Hays (R - Umatilla)** has been referred to the Schools and Learning Council.

SB 2418 — Articulation and Acceleration by Senator Evelyn Lynn (R - Ormond Beach), provides legislative intent to facilitate articulation and seamless integration of the pre-K through 20 education system by building, sustaining and strengthening relationships among pre-K through 20 organizations. Further, the legislature intends that articulation policies and budget action be implemented consistently in the practices of postsecondary institutions and the Department of Education expressed in the collaborative policy efforts of the State Board of Education and the Board of Governors. The bill has been referred to the Higher Education, Education Pre-K - 12 and, Education Pre-K - 12

Appropriations committees. There is no House companion at this time.

Update on Bills

SB 2350 — Textbook Affordability by Senator Jeff Atwater (R - North Palm Beach), requires the State Board of Education and the Board of Governors to adopt policies by March 1, 2009, to further efforts to minimize the cost of textbooks for community college and state university students. The bill prohibits employees of a community college or state university from demanding or receiving any payment or anything of value in exchange for requiring a student to purchase a specific textbook for coursework and instruction. The bill provides exceptions for sample copies, royalties for one's own work, review of course materials and supporting materials, and training in the use of course materials. The bill requires community colleges and state universities to post on their websites the books that would be required for each course and requires the SBE and BOG to adopt policies for textbook notification for classes added after the notification. The bill was heard in the Higher Education Committee last week. The identical bill in the House, **HB 603 by Representative Anitere Flores (R - Miami)** has passed out of committee and is awaiting hearing by the full House.

HB 475 — Student Financial Assistance by Representative Dick Kravitz (R - Orange Park), provides intent to expand access to postsecondary education and reduce student indebtedness. The bill requires state universities and community colleges to report information relating to funds used to provide financial assistance to certain students and, prohibits the use of such funds to provide financial assistance to specified foreign students. The bill will be heard in the House Schools and Learning Council tomorrow. The identical bill in the Senate, **SB 1232 by Senator**

Rhonda Storms (R - Brandon) has not yet had a hearing.

CS/CS/SB 1428 — Retirement/Community Colleges and Universities by Senator Mike Fasano (R - New Port Richey), was amended to clarify that clinical faculty and faculty members participating in a defined benefit retirement program or faculty practice plan may not participate in the Florida Retirement System. The bill will next go to the full Senate for hearing.

SB 346 — Sure Futures Postgraduate Scholarship Program by Senator Jeremy Ring (R - Margate), was amended to clarify that the Institute of Science and Public Affairs at Florida State University shall provide operational management, administrative, and support staff to the Sure Futures Foundation and Board. The bill passed out of the Higher Education Committee and will next be heard in the Commerce Committee. The House companion, **HB 231 by Representative Kevin Ambler (R - Tampa)** has been referred to the Schools & Learning and Policy and Budget councils.

SB 2614 — Postsecondary Tuition Rates by Senator Lee Constantine (R - Altamonte Springs), was withdrawn from further consideration.

SB 2308 - Commissioner of Education by Senator Lisa Carlton (R - Osprey), proposes amendments to the State Constitution, which will create an elected Commissioner of Education who will be a member of the Cabinet and will be responsible for the supervision of public education. The proposed constitutional amendment also changes the composition, powers and duties of the Board of Governors and creates the Florida College System. The bill passed out of the Senate last week. The companion in the House, **HB 7025 by Representative Joe Pickens (R - Palatka)** will be heard in the Policy and Budget Committee this week.