



ASSOCIATION OF FLORIDA COLLEGES

CAPITOL PERCEPTIONS

A WEEKLY DIGEST OF LEGISLATIVE NEWS

FRS Changes Still Possible

Despite ongoing opposition from almost every segment of the public sector, from teachers, to law enforcement, to firefighters, to even a majority of the Florida Senate, the Florida House of Representatives passed [HB 7173](#) which would make a few substantive changes to the state retirement system. Among the changes are:

1. Closing the pension plan to senior managers and elected officials hired or voted in from July 1, 2015.
2. Placing new state workers into the investment plan rather than the pension plan if they don't pick the pension option within eight months of being hired.
3. Extending the pension plan vestment period from eight to ten years.

The House vote followed party lines and passed 73-44. This sets up a showdown in the Florida Senate and that vote is expected on Wednesday, April 30, 2014.

Opponents of the bill maintain the Florida FRS is in solid shape and changes to the system are NOT needed. GOP leaders, lead by Speaker Will Weatherford, contend changes to FRS will reduce unfunded liabilities and lead to a more stable fund. The AFC has monitored this issue for the last four years and on Wednesday we will know if the changes are coming – the Senate vote will be close, one or two members will determine its fate. Stay tuned.

Legislative Conference Process Brings Resolution to Several FCS Issues

“Conference” is the part of the legislative process where members are appointed to resolve differences between House and Senate proposals, usually regarding the budget, implementing and conforming bills. Conference starts with the chairs of the respective sub-committees, i.e., Senate Education Appropriations and House Education Appropriations. Issues that do not get resolved in those committees are then “bumped” to full committee chairs in each Chamber. The following summarizes agreements reached over the weekend.

FCS BUDGET

State Funds	1,145,863,151 (+2.4%)
Standard Tuition	840,685,423
TOTAL FUNDS	1,986,548,574 (+1.4%)
-Includes:	
• Summer Dual Enrollment (non-recurring)	4,790,125
• Increase to program fund	5,000,000
• Compression	15,531,395
• Fund Shift to Lottery	50,033,178
• Performance Incentives (Industry Certification)	5,000,000
• Tuition Increase	0

Comprehensive Legislative Session Summary

The next issue of *Current* in June will include a post-legislative session summary compiled by the AFC Legislative Committee. The annual summary is comprehensive and covers every bill that has affected the Florida College System.

Undocumented Students Launch Dream University At State Capitol, Ask Lawmakers To "Keep Us In-State!"

Despite last week's setbacks, Florida's undocumented youth refuse to give up on In-State Tuition and escalate tactics to make sure it becomes a reality this year. Students from throughout the state decided to occupy the State Capitol during the week of final exams at their colleges and universities, by bringing their books and studying at the offices of legislators in a coordinated action called "Dream University".

The action was launched today at 11:30 a.m. with a press conference at the State Capitol with the participation of several undocumented students from Orlando, Tampa, Lakeland, Palm Beach and Gainesville, who will be joined by Dr. William Guzman from Florida A&M University. The organizations that will be present today include members of the Florida Immigrant Coalition, United We Dream Tampa Bay, CHISPAS, E.Q.U.A.L. Palm Beach State College, Dream Defenders, and Tallahassee Students for a Democratic Society and other allies. Starting today, students will continue coming from different parts of the state to keep a presence in the Capitol until In-State Tuition passes. They are urging Senate President Gaetz to allow in-state tuition to come to a vote on the Senate floor. ([HB 851](#) and [SB 1400](#)).

FROM the NEWS SERVICE OF FLORIDA WIRE...

Scott Steps Out From The Shadows

Scott's support for in-state tuition rates for students who don't have authorization to be in the country is a major turnaround from the Republican who promised to bring an Arizona-style immigration law to Florida in his first bid for governor.

The proposal, a top priority of House Speaker Will Weatherford, is stuck in the Senate, where Negron, the appropriations chairman, refused to slate it for a committee hearing this week. Early in the session, Democrats joined moderate and Weatherford-faithful House Republicans to pass the measure, a higher-ed hodgepodge that also would scale back from 15 to 6 percent the annual amount universities can hike tuition without the Legislature's approval.

Scott had been mum until recently on the part of the bill that would allow undocumented immigrant students to pay in-state tuition rates as long as they attend four years of secondary school in the state. Instead, the governor had focused on lowering tuition for all students, something he has pushed by asking colleges to provide four-year degrees for \$10,000 and by telling universities to forego tuition increases.

But on Tuesday, Scott's office arranged a hastily called press conference after a move to get the issue onto the floor stalled in the Senate Appropriations Committee. "For Florida's students, it's extremely disappointing," Scott told reporters outside his office. "We have 21 Senate sponsors, we have four other senators that have voted for this in committee assignments --- this needs to get to the floor of the Senate." Children brought to this country by their parents deserve "the same opportunities of all children," Scott said. "Whatever country you were born in --- whatever family or ZIP code --- you ought to have the chance to live the dream."

Senate bill sponsor Jack Latvala, R-Clearwater, has insisted he has enough votes to pass the measure --- half the members of the Senate have formally signed on as co-sponsors --- if he could

get it to the floor. Late in the week, Latvala said he believes the bill will come up for a vote during the last week of session.

A separate immigration-related issue popped up in the Senate, telegraphing the popularity of Latvala's proposal in the chamber.

With a 25-12 vote Friday, the Senate passed a measure ([HB 755](#)) that would allow certain undocumented immigrants to gain admission to The Florida Bar. The vote count likely mirrors a Senate floor vote on the in-state tuition proposal. The bill is aimed at helping Jose Godinez-Samperio, who came to the United States at age 9 from Mexico, graduated from law school at Florida State University and passed the Bar exam more than two years ago. Last month, the Supreme Court unanimously ruled that undocumented immigrants like Godinez-Samperio cannot be admitted to The Florida Bar and called on the Legislature to change state law to allow so-called "Dreamers" to become attorneys. The bill approved Friday would give the Supreme Court the ability to admit Bar applicants who were brought to the state as minors and have been residents of Florida for more than 10 years.

Weatherford said late Thursday he supports the measure and that "there is plenty of time left" for the issue to be resolved and sent to Scott, who did not directly answer when asked whether he backs the bill. "This case demonstrates how broken our federal immigration laws are. Stories like this are why I am fighting to keep tuition low for every Florida student who wants to follow their dreams right here in our state," Scott said in a statement.

Scott Comes Out Of The Shadows, Sort Of

The governor this week also staked out a position on a hybrid of marijuana known as "Charlotte's Web" that many believe can dramatically reduce life-threatening seizures in children with a rare form of epilepsy.

Parents of the children, some in wheelchairs, have repeatedly made tearful pleas during committee hearings and in private meetings with lawmakers while recounting the drama of the form of the disease that does not respond to other treatments and can cause hundreds of seizures per day.

The issue has become one of the hottest topics of the 2014 session. Many at-first reluctant GOP lawmakers have rallied around the substance after hearing emotionally charged testimony from parents whose children suffer hundreds of seizures per month. But other Republicans are concerned that the proposals en route to the chamber floors could wrongly give the public the idea that the lawmakers support a constitutional amendment on the November ballot that would allow doctors to order "traditional" marijuana for severely ill patients.

The House and Senate have been working toward common ground on making available a form of marijuana that is high in cannabidiol (CBD) and low in euphoria-inducing tetrahydrocannabinol (THC). On Monday, the House Judiciary Committee approved a plan that includes language proposed by Scott, who wants to limit the use of the drug to clinical trials.

The bill ([HB 843](#)) would create an "Office of Compassionate Use" within the Department of Health that would "enhance access to investigational new drugs for Florida patients through approved clinical treatment plans or studies." Studies on "investigational new drugs" are the first step in the Food and Drug Administration approval process. Under Scott's plan, the "Office of Compassionate Use" could create a network of state universities and medical centers and apply to the FDA or a drug manufacturer for a study. The House measure also includes \$1 million for the clinical studies.

"As a father and a grandfather, I cannot imagine what it would be like to have a family member suffering. We want to make sure those suffering get access to treatments in the fastest possible way.

And that is why we have proposed language to ensure the safety of our children and have been working with the Legislature to see it included in the final bill," Scott said in an e-mail Tuesday.

The House sponsor balked at the restrictions proposed by Scott. Rep. Matt Gaetz, R-Fort Walton Beach, wanted a more free-market approach but bowed to the Senate's preference for a "vertical" distribution system where growers would also serve as manufacturers and distributors. The two chambers still haven't ironed out all the kinks, however.

"The governor's suggestions are good. We've taken those suggestions but we're thinking a little bolder," Gaetz, R-Fort Walton Beach, said Monday evening. "I would like to do that and have little kids who can't get into a clinical trial still have their lives saved."

The Senate is slated to take up its approach to medical marijuana ([SB 1030](#)) on Monday.

Tag --- You're It!

With the budget conference process compressed into little more than a week this year, a furious series of subcommittee meetings took place between Monday evening and Wednesday evening, when all unresolved issues were "bumped" to McKeel and Negron. Lawmakers were just getting back from their Easter and Passover break when a deal on big-picture allocations was announced. Those allocations are a key step to negotiating the nitty-gritty details of the budget.

"I hope everybody's rested up and had a good week off," Weatherford said during a meeting to kick off the negotiating sessions. "We've got a lot to do in the next two weeks."

Some subcommittees were more successful than others. The criminal justice panel worked out the vast majority of issues, bumping up a few relatively minor items. The education committee, on the other hand, ended with the Senate rescinding one of its offers after the House didn't agree to a series of strings that the Senate had attached to the offer. (Negron later said that he and McKeel had resolved questions about what had been bumped from the education talks, but didn't elaborate.)

Many of the big issues were relatively predictable even before the subcommittees got to work. Either Negron and McKeel --- or Weatherford and Senate President Don Gaetz --- will take care of how to spend performance funding for state universities and technology funds for public schools. Also, they will have to address Negron's plan to spend tens of millions of dollars on restoration and protection efforts at Indian River Lagoon and Lake Okeechobee and a series of projects like a \$10 million line item for a 1,000-foot-high business and amusement feature that would dominate Miami's skyline.

The back-and-forth causing the most-emotional response outside the Capitol, though, might be the \$13 million (or more) the Senate is earmarking to break up the joint College of Engineering now shared by Florida State University and Florida A&M University. Supporters of FSU say the university needs its own school to enter an elite group of public universities. Backers of FAMU fear that a stand-alone engineering college at the state's historically-black university would get less funding and attention than its counterpart.

Weatherford called for the Board of Governors, which supervises Florida's public universities, to get involved.

"They are kind of the regulatory oversight body of the higher education system, and I think that their voice should matter quite a bit in this conversation," he said.

Negron signaled that the Senate wasn't standing pat at \$13 million.

"I'm not only going to include the funding for the FSU College of Engineering in the budget, we're going to increase the funding," he said.

But neither side ruled out the other side's recommendation, meaning that a deal could be found to satisfy FSU alum and influential Senate Rules Chairman John Thrasher, a St. Augustine Republican pushing the idea.

Quote Of The Week

"This session will not end peacefully if that bill does not get a vote on the Senate floor. I don't think anyone's operating under any alternative illusion. So they can posture and dream in Technicolor all they want, but this issue will come up on the Senate floor or this session will melt down." --- Sen. Tom Lee, R-Brandon, discussing the in-state tuition issue.