



ASSOCIATION OF FLORIDA COLLEGES

CAPITOL PERCEPTIONS

A WEEKLY DIGEST OF LEGISLATIVE NEWS

Your Weekly Legislative Update

February 26, 2018
Week Seven Session Summary
February 19 - 23, 2018
Legislative Session 2018

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2018 Legislative Session - Week 7 - February 19 - 23, 2018

Budget Update

With one more day left for regularly scheduled committee meetings and ten days to Sine Die, the question on everyone's mind is "will session end on time or be extended?" Budget conference is ahead with major wrangling still to take place in Higher Ed. Stay tuned!

Constitutional Revision Commission (CRC) Update

The 37-member panel convenes every 20 years. Any changes it ultimately approves still must go on the 2018 statewide ballot and gain 60 percent approval to be added to the constitution. The CRC is traveling the State of Florida to listen to input from Floridians about potential changes to the Florida Constitution. **The next CRC Public Hearing is Tuesday, February 27, 2018 from 1:00-7:00 PM CST at the University of West Florida Conference Center & Ballroom, 11000 University Parkway, Building 22, Pensacola, FL.** All interested persons are invited to attend CRC public hearings and speak to Commissioners about their ideas for revising the Florida Constitution. If you'd like to speak before the CRC at a public hearing, please complete an appearance form and bring your copy to the meeting. Forms will also be available to complete at the meeting location. To find a meeting location near you visit: <https://www.flcrc.gov/Meetings/PublicHearings>. The Education Committee of the CRC voted and approved, on 1/26/18, Commissioner Nicole Washington's Proposal 83. Proposal 83, linked below codifies the Florida College System into the state constitution, and reaffirms that the State Board of Education shall provide its oversight (same as currently). Both K-12 and the State University System are similarly codified in the State Constitution.

[P 83](#) EDUCATION, by Nicole Washington – Passed favorably by Education; Placed on Calendar, on 2nd reading. No change.

School Safety and Firearm Safety Plans and Legislation Announced

Last week, following meetings and marches, Leadership from both Chambers and the Governor announced their plans to address school safety and firearm safety. Shared approaches include a firearm purchasing age requirement of at least 21 year old to buy rifles and shotguns (already a requirement for handgun purchases); no ban on semiautomatic rifles ("assault weapons"); and budgeting \$400 million to \$500 million for school safety and mental health issues. Major differences to reconcile: School Resource Officers to be required in every school (Gov. Scott); Teachers allowed to carry concealed weapons if trained and directed by law enforcement (House and Senate leaders).

[Governor Rick Scott's official press release](#) outlines the details of his plan.

Below are hyperlinked specific proposed legislation to date:

[SPB 7022 - Firearm Safety](#) (by Rules) - Authorizing a law enforcement officer to seize and hold firearms and ammunition if taking custody of a person who poses a potential danger to himself or herself or others and who has made a credible threat against another person; prohibiting a person who has been adjudicated mentally defective or been committed to a mental institution from owning or possessing a firearm until certain relief is obtained; prohibiting a person younger than a certain age from purchasing a firearm, etc.

[SPB 7022](#) is on the Rules Committee agenda 02/26/18, 2:30 pm; and, on the Appropriations Committee agenda 02/27/18, 11:00 am.

[SPB 7024 - Public Records/Victim of a Crime of Mass Violence](#) (by Rules); Providing an exemption from public records requirements for the address of a victim of a crime of mass violence that has occurred on the grounds of a K-12 school or a postsecondary education institution or the address of an immediate family member of a victim which is contained in a report of a law enforcement agency and held by an agency; providing for future legislative review and repeal; providing a statement of public necessity, etc.

[SPB 7024](#) is on the Rules Committee agenda, 02/26/18, 2:30 pm; and on the Appropriations Committee agenda, 02/27/18, 11:00 am.

[SPB 7026 - School Safety](#) (by Rules); Establishing the Office of Safe Schools within the Department of Education; creating the Commission on School Safety and Security within the Florida Department of Law Enforcement; establishing the Multiagency Service Network for Students with Severe Emotional Disturbance; requiring district school boards to formulate and prescribe policies and procedures for active shooter situations; requiring district school boards to establish or assign safe-school officers at each district school facility within the district, etc.

[SPB 7026](#) is on Appropriations Committee agenda 02/27/18, 11:00 am, If Received.

BILLS TO WATCH

[SB 540](#) by Hukill "The Community College Competitiveness Act" (Identical - [HB 831](#) by Gruters)

As written, SB 540 would turn college policy on its proverbial ear and impact the Florida College System in many different ways. At the Senate Appropriations committee meeting last week, the bill sponsor, Sen. Hukill, proposed a "strike all" amendment which changed only one aspect of the original bill – it would no longer rename the Florida College System. It would continue to be the "Florida College System" (FCS), and the proposed 13-member state board would be referred to as the State Board of Colleges.

On the positive side, the bill proposes to strengthen and maintain the "2+2" targeted pathway language. The bill does establish "Supporting Students for Academic Success Program" which has \$30 million tied to it in the budget. This programmatically would be a good thing and help the FCS reduce the adviser/counselor to student ration, and improve technology for tracking completions. Unfortunately tied to the policy bill with the other issues of concern, it presents a bit of a conundrum. Thus, the AFC lobbying team and the COP are submitting numerous amendments to the bill. Meanwhile, the House companion bill, HB 831, has not been heard in any committee yet. Some of the other aspects of the bill remain and include:

- Modifies language on performance metrics to remove the 100% on-time completion metric in lieu of a completion rate metric that reflects the priority of on-time completion based on a student's enrollment intensity.
- Removes language on performance metrics regarding full-time, first-time-in-college students in AA programs who graduate with a baccalaureate degree in 4 years after initially enrolling in an AA program.
- Maintains the Distinguished Colleges performance metrics.
- Maintains language that prohibits FCS institutions from offering a bachelor of arts degree program and modifies the baccalaureate degree approval process to align with current statute.

[CS/CS/SB 540](#) has had three amendments filed (see links below) and has been retained on the Senate Calendar. Still no change in either bill as of 2/26/18.

Amendments filed to CS/CS/SB540:

[325042 - Amendment filed by Senator Powell](#)

[480602 - Amendment filed by Senator Powell](#)

[657986 - Amendment filed by Senator Powell](#)

[SB 1752](#) by Torres regarding Bright Futures Scholarships (Identical - [HB 1331](#) by Smith)

Senate President Joe Negron is being heavily supported for bringing significant changes to the higher education system by slashing tuition bills for the top students in Florida. If the House agrees with the budget proposal, the Bright Futures Scholarship Program would receive \$124 million and bring back full tuition for students in public colleges and universities. A companion bill in the House was referred to three committees. Last year, the measure was vetoed by Gov. Scott.

SB 1752 has been referred to Education; Appropriations Subcommittee on Higher Education. Introduced 1/17/18. Still no change as of 2/26/18.

HB 1331 has been referred to Post-Secondary Education Subcommittee; Higher Education Appropriations Subcommittee; Education Committee. Still no change as of 2/26/18.

[SB 4](#) by Galvano - "The Florida Excellence in Higher Education Act of 2018" (Similar - [HB 423](#) by Rodrigues) CS/SB 4 establishes the "Florida Excellence in Higher Education Act of 2018" to expand financial aid provisions and incentivize postsecondary institutions to emphasize on-time graduation. The bill also expands policy and funding options for state universities to recruit and retain exemplary faculty and enhance the quality of professional and graduate schools. It does not include provisions dealing with FCS governance, no limitations on FCS baccalaureate degrees, no changes to FCS performance or distinguished college metrics. Prohibits university DCOs from using personnel services after 2023 and provides that no state money may be spent on DSO travel. No limitations are placed on FCS DSOs. The bill allows Bright Futures awards to be used to cover technology fees and allows Bright Futures awards to be used for summer school. Bright Futures Academic Scholars program is returned to 100% of tuition and fees, plus \$300 for textbooks. Medallion Scholars Program is returned to 75% of tuition and fees with no provision for textbooks. First Generation Matching Grant program is extended to the FCS; there would be a \$2 match in state money for every \$1 raised privately.

SB 4 has been certified and is in messages for House action. Still no change as of 2/26/18.

CS/HB 423 passed Higher Education Appropriations Subcommittee, now in Education Committee. Still no change as of 2/26/18.

[HB 75](#) by Ponder regarding Post-Secondary Fee Waivers (Similar [SB 460](#) by Gainer) Authorizes FCS institutions to waive portion of certain postsecondary fees for active duty members of U.S. Armed Forces using

granted annually. Mostly impacts FCS institutions with high numbers of active duty service members (e.g. FSCJ, NWFS).

HB 75 Passed the House 1/31/18.; referred on 2/8/18 to Senate Military and Veterans Affairs, Space and Domestic Security; Appropriations Subcommittee on Higher Education; Appropriations. No change as of 2/26/18.

SB 460 has passed one committee and the Appropriations Sub-committee on Higher Education. It is now in Appropriations. Placed on Special Order Calendar, 02/27/18.

[HB 619](#) by Nunez regarding renaming of Florida College System institutions (compare to [SB 946](#) by Flores, Florida Keys Community College) Changes name of "Florida Keys Community College" to "The College of the Florida Keys"; changes name of "North Florida Community College" to "North Florida College." Although addressing specific institutions, the debate should be monitored closely for issues related to overall FCS policy issues, especially in light of the news coverage related to the bill.

CS/HB 619 passed the House 1/31/18; referred on 2/8/18 to Senate Education; Appropriations. No change as of 2/26/18.

SB 946 has been referred to Senate Education and Appropriations Committees. It still has not been heard. No change as of 2/26/18.

[SB 1048](#) by Baxley regarding concealed weapons carry (Identical – [HB 1419](#) by McClure) This bill would allow churches, synagogues, and other religious institutions to authorize concealed license holders to take their firearms onto their properties. This also means that the designated carrier could take their concealed weapons into schools if the religious institution owns, rents, leases or borrows the property.

SB 1048 – Committee Substitute (CS) passed by Senate Judiciary Committee. Placed on Special Order Calendar, 2/8/18, on third reading. No change as of 2/26/18.

HB 1419 – Favorably passed Criminal Justice Subcommittee and Judiciary Committee. Placed on the Calendar 2/1/18. No change as of 2/26/18.

[SB 722](#) by Garcia regarding retirement (Identical – [HB 665](#) by Clemons) This bill specifies the minimum amount of the factor used to calculate the cost-of-living adjustment of benefits for certain retirees and beneficiaries of the Florida Retirement System, etc.

SB 722 - Passed favorably by Governmental Oversight and Accountability; Now in Appropriations Subcommittee on General Government. No change as of 2/26/18.

HB 665 – On agenda for Oversight, Transparency and Administration Subcommittee. Workshopped on 1/30/18. No change as of 2/26/18.

[SB 252](#) by Steube regarding State Employee Higher Education Fee Waivers (Identical – [HB 1371](#) by Ausely) State Employee Higher Education Fee Waivers; Providing that credit hours eligible for tuition and fee waivers be determined on a calendar year basis, rather than per academic term, etc.

SB 252 Passed on 2/8/18 by Appropriations Subcommittee on Higher Education. Now in Appropriations. No change as of 2/26/18.

HB 1371 – Favorably passed Post-Secondary Education Subcommittee; now in Higher Education Appropriations Subcommittee. No change as of 2/26/18.

[SB 1064](#) by Baxley - Dual Enrollment Programs (Similar language contained in [HB 7055](#) by Baxley)

Revises the contents of a postsecondary institution and private school dual enrollment articulation agreement, etc.; Deletes the provision that requires the school district to compensate the college for the cost of the dually enrolled student.

SB 1064 – Now in Appropriations. No change as of 2/26/18.

CS/HB 7055 – Passed House. 2/15/18 Referred to Senate Education; Appropriations. Passed Education favorably on 2/20/18; Now on agenda for Senate Appropriations, 02/27/18, 11:00 am

[CS/SB 858](#) by Steube – The "Sunshine Protection Act" (similar [HB 1013](#) Daylight Savings Time by

Nunez and Fitzhagen) Directs the Legislature to submit a request to the Secretary of the United States Department of Transportation to redesignate portions of the state in the Central Time Zone into the Eastern Time Zone, etc.

CS/SB 858 – 1/26/18 Passed favorably by Community Affairs ; CS/CS favorably passed Commerce and Tourism; on Rules Committee agenda, 2/26/18, 2:30pm.

HB 1013 – 2/14/18 favorably passed House; received by Senate 2/21/18.

[HB 5203](#) by Government Operations and Technology Appropriations Subcommittee; Ingoglia – related to Statewide Travel.

Revises certain lodging rates for the purpose of reimbursement to specified employees; authorizes employee to expend his or her own funds for certain lodging expenses; provides DMS rulemaking authority; creates the statewide travel management system; provides system reporting requirements; requires specified entities (including state colleges) to use statewide travel management system for certain purposes; requires DMS to make travel information available to public by specified date; provides appropriation & positions; provides statement of important state interest.

HB5203 - passed the House on 2/8/18; referred to Senate Governmental Oversight & Accountability; Appropriations, Rules. Received by Senate, 2/20/18.

WEEKLY ROUNDUP: 'FLORIDA WILL NEVER BE THE SAME'

Recap and analysis of the week in state government roundup from the Florida News Service

TALLAHASSEE --- Even the most jaded and cynical reporters struggled this week to keep a dry eye while listening to Marjory Stoneman Douglas High School students' terrifying accounts of the grisly bloodbath on their Parkland campus.

In many ways, the kids who roamed the halls of the Capitol on Wednesday were much like any other teenagers.

They were glued to their cell phones, texting or scrolling through their social media feeds. They held hands and huddled in cliques. They giggled about fashion, BFFs and crushes.

But on Feb. 14, the freshmen, sophomores, juniors and seniors were transformed into survivors. And they're on a mission.

"We will make change in this country. And if not today, tomorrow. And if not tomorrow, the day after that and the day after that until we achieve the change we want in this country, until the day that safety is preserved in all schools in our beloved country of America," Lorenzo Prado, a 17-year-old who said he was mistaken for the shooter at the Parkland high school, told a rapt audience of state, national and international media at a press conference Wednesday in the Capitol.

The students who launched #NeverAgain almost overnight have become national figures, as evidenced by television appearances and the sudden acquisition of tens of thousands of Twitter followers. They've been pilloried by gun-rights proponents and lauded by advocates of stricter gun laws.

In Tallahassee, they were eloquent, impassioned and, at times, teetered between anger and grief. And nearly all of them patiently and politely answered the myriad questions lobbed by journalists looming behind cameras,

Some of the students want to get rid of assault-style weapons like the one 19-year-old Nikolas Cruz used to slaughter their friends. Others are seeking what they call more reasonable restrictions. None of them said they feel safe going back to school on Monday.

They delivered their message to lawmakers in the White House, Tallahassee and back home. And when asked what should be done to ensure that no other students have to undergo the horror rained upon them this month, many were uncertain.

"We're just kids," Alfonso Calderon, a 16-year-old junior, said. "Everybody needs to remember --- we are just children."

'THIS HAS OVERSHADOWED EVERYTHING'

The 2018 legislative session had seemed a little mundane. Sure, lawmakers wanted to deal with big issues, such as the opioid epidemic, but the session plodded along without any great sense of urgency.

Then came Parkland.

Suddenly, Gov. Rick Scott, Republican and Democratic lawmakers, interest groups, parents and students were immersed in almost-unthinkable issues. Everything else took a backseat.

Lawmakers and other state leaders met Wednesday with the Parkland students who had piled on buses to come to Tallahassee. The message was clear: The state will take action to try to prevent such a massacre from ever happening again.

"This has overshadowed everything. This has become our priority. I cannot say it enough: We will not fail you," Rep. Jeanette Nunez, a Miami Republican who is one of House Speaker Richard Corcoran's top lieutenants, pledged to students.

Outside the House and Senate chambers, the calls for action were noisy --- and often politically tinged.

Democrats and gun-control advocates criticized Republicans, who have controlled state government for the past two decades and have generally backed the National Rifle Association on Second Amendment issues.

While Marjory Stoneman Douglas students met with lawmakers and spoke at the nationally televised press conference, a major rally was taking place outside Wednesday on the steps of the Old Capitol.

The crowd overflowed onto nearby Monroe Street, as students, activists and Democratic lawmakers expressed anger amid chants of "We want change," "Not one more," "Throw them out," and "Never again."

"This tragedy has taught us to be fearless, because we now know what it feels like to be afraid," Rachel Catania, 15, a sophomore from Marjory Stoneman Douglas High, told the roaring crowd. "How many more innocent people have to die before we make a change? Change is overdue. And we are the change. When leaders act like children and children act like leaders, you know something is about to change."

Time will tell how much change happens in Tallahassee, or in Washington for that matter. But at least in the short term, the Parkland shooting caused the Senate to put on hold gun-related bills.

"Right now, we understand what this week is. It's very enmeshed in what do we do to make students safe," Sen. Dennis Baxley, an Ocala Republican and prominent gun-rights supporter, said. "We understand that atmosphere, and that's why some of these things just need to be put off."

'NEVER AGAIN'

After meeting with the Parkland students two days earlier, Scott and Republican legislative leaders held press conferences Friday to outline wide-ranging proposals to try to improve school safety, change gun laws and address mental-health issues.

The proposals shared some ideas. For example, they would require people to be at least age 21 to buy rifles and shotguns, a requirement already in place for handguns. They also would spend somewhere in the neighborhood of \$400 million to \$500 million on issues such as school safety and mental health. And they would not ban semiautomatic rifles, commonly known as "assault weapons."

With two weeks left in the legislative session, Scott and legislative leaders also will have to bridge differences.

For instance, Scott wants to require school resource officers in every school in the state, while House and Senate leaders are pitching a plan that would allow some teachers to carry concealed weapons if they meet training requirements and are directed by law enforcement.

Critics immediately took issue Friday with the lack of an assault-weapon ban in the proposals.

"We need to be banning assault weapons," Rep. Carlos Guillermo Smith, D-Orlando, said. "We need universal background checks. We need to make sure that we are addressing the root cause of the public health crisis that is gun violence in this state and in this country. It is the guns. The guns are the problem."

But whatever the criticism and the differences between Scott and lawmakers, it's clear a package of changes will emerge in the coming weeks from the Legislature.

"Our slogan is, never again," Corcoran said.

Capitol to call for changes after the mass shooting this month of 14 students and three faculty members.

QUOTE OF THE WEEK: “Unfortunately, none of the plans I’m announcing today will bring any of them back, but it’s important to remember them. The 17 lives that were cut short and all the hopes and dreams that were ruined have changed our state forever. Florida will never be the same.” Gov. Rick Scott on Friday during a news conference to announce a series of proposals to address school safety, gun laws and mental health issues.

Capitol Perceptions is compiled weekly during the Florida Legislative Session and distributed to AFC members.

Capitol Perceptions - The Back Issues

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