

ALMOST TO THE END!!

As we move into the final week of the regular session for 2009, many issues remain up in the air. Slowly, bills are beginning to move to the floor for final vote in both Chambers, however, many bills remain unresolved, meaning the House and Senate versions are different, and will have to go to conference committee.

Issues related to the Florida College System budget continue to remain unsettled. This past weekend, both Chambers canceled public conference meetings on the appropriations. The assumption is that leadership from the House and Senate are trying to negotiate a budget package that they can live with, before airing it out in conference committee. This is a common practice and usually expedites the budget approval process when the conference committees resume. However, when things are negotiated behind closed doors, so to speak, we are often at a disadvantage to change them when they do come out.



The FACC team continues to support the level of funding proposed by the Senate of just over \$1.7 billion including non-recurring dollars from the federal stimulus and gaming. The House budget proposal continues to cut recurring community college program funds by 20%, with little consideration for enrollment growth. Late last week, House staffers asked the Division of Community Colleges to provide three funding scenarios to show the differences between the House and Senate budgets, and then to show a mid-point budget between the two. The problem therein was that the scenarios only took into consideration one-year of enrollment growth, not three-years of rolling average growth traditionally followed under the Council of Presidents formula.

Since we have effectively described most of the bills we have been tracking for the past eight weeks, below is a tracking summary with the status of each bill. Special thanks go to Susan Lehr (FCCJ) and Erin McColskey (PBCC) for their individual hard work in maintaining this tracking information on a weekly basis. Each bill includes a link that will direct you to the official bill information from the House and the Senate websites.

Senate General Appropriations (GAA)

[SB 2600](#) is in conference – Appropriations bill

[SB 2602](#) is in conference – Implementing bill

Higher Education Appropriations

[SB 2754](#) is in conference – Doesn't list new BA colleges' funds. The bill has a proviso that allows colleges with BA's approved by March 2009 to proceed.

[CS/SB 1696](#) is in conference – Senate Higher Ed conforming bill. Calls for no BA development in 09-10; caps president's salaries; redefines residency for tuition purposes; addresses surcharge for excess hours; includes provision for Bright Futures payback by students who withdrawal; strikes the 85% funding language for BA's and refers to GAA; restricts leave payouts to one-year's salary.

[HB 5003](#) is in conference – House implementing bill; sets Bright Futures at fixed amounts as established in the GAA.

[HB 5007](#) is in conference – House CC conforming bill on student fees; authorizes the DBOT to set tuition and fees that may vary from 10% below to 15% above the amount in the GAA; deletes the requirement CC's use the amount from 10 to 15% above the sum of the tuition established in the GAA solely for safety and security purposes.

Florida College System

[HB 7083](#) in Full Appropriations Council on Education and Economic Development; Requires that all BA proposals both initial and subsequent be approved by SBOE; decouples BA funding from SUS and uses cost-plus funding for College upper division (+35%); provides for a consistent level of start-up funding; authorizes DBOT to set upper division tuition from 10% below to 15% above standard.



[CS/CS/SB 2682](#) is in House Messages; is not identical to [HB 7083](#); allows for DBOT to approve additional BAs after the first one is approved by SBOE; amendments pending to allow college to request the SBOE to authorize DBOT to approve BAs after three years.

Board of Nursing

[CS/HB 1209](#) is in Senate Messages/referred to committees; retains Board of Nursing program approval; adds accountability and restricts BON rule-making authority.



[CS/SB 2284](#) is on the Special Order Calendar for April 27; identical to [CS/HB 1209](#)

Student Records

[CS/SB 2426](#) is on the Special Order Calendar for 4/27/09; K-12 and postsecondary student records bill; conforms state law to the federal law on student educational records; FACC issues have been amended in.

[SB 2374](#) is on the Special Order Calendar for 4/28/09; public records bill that goes along with [SB 2426](#).

[HB 7117](#) proposed committee bill in Senate Messages – referred to committees; same as above

[HB 7119](#) proposed committee bill in Senate Messages – referred to committees; linked to [HB 7117](#)

Public Records/Insured Dependents/Group Plans

[CS/HB 135](#) is in Senate Messages– referred to committees; maintains that medical information should be confidential; conforms to federal HIPAA laws.

[CS/SB 270](#) is on the Special Order Calendar for 4/28/09; Identical to [CS/HB 135](#)

Santa Fe College Transportation Fee

[CS/SB 622](#) is on the Special Order Calendar for 4/27/09; authorizes DBOT to establish transportation fees at SFCC.

[HB 739](#) is in Senate Messages – referred to committees; identical to [CS/SB 622](#).

Miami – Dade Discretionary Sales Tax

[CS/HB 787](#) is still in House Finance and Tax Committee; allows Miami-Dade to put a discretionary 0.5% sales tax on local referendum.

[CS/SB 1576](#) is in House Messages, similar to [CS/HB 787](#).

Non-Public Postsecondary Education Institutions

[SB 2096](#) is in House Messages; relates to License by Means of Accreditation (LBMA); allows private colleges from out-of-state to set up in Florida without extra reports and accountability to Council for Independent Education; deletes the requirement for them to be a FL corporation; harder to pursue if they fail because their assets are in another state.

[HB 7055](#) now on Calendar; similar to above.

Bright Futures

[CS/SB 1364](#) (also in [HB 1696](#) conforming) is in Higher Education Appropriations committee; amends Bright Futures to require students to complete more courses to maintain their eligibility; currently, students enrolled in 24 credits are only required to complete 12 credits, now must complete 24 credits; BF will no longer pay for withdrawals, student must re-pay.

[CS/HB 719](#) is ready for a 3rd reading; it prohibits BF award money from paying for courses dropped after end of the drop-add period, or courses from which students withdraw. If the student loses eligibility, it may be restored one time.



Veterans, FL National Guard and Tuition Issues

[HB 509](#) is ready for a 3rd Reading; no impact; adds federal reference – allows for deferred payment from VA (we already do)

[SB 644](#) is on the Special Order Calendar for 4/28/09; identical to [HB 509](#)

[CS/SB 442](#) is on the Special Order Calendar 4/28/09; revises Dollars for Duty assistance; revises duties of Adjutant General by removing BOG & SBE role in developing programs; adds all private colleges who are licensed including vocational-technical programs; includes active drilling members; can't have a masters degree instead of BA; authorizes college prep courses; deletes State Tuition Exemption Program; authorizes Department of Military Affairs to pay tuition and fees for current members up to the amount of public tuition and fees; provides eligibility to use program upon enlistment; considering fiscal impact this bill may be "subject to appropriations"; \$1.8 million impact in 2008.

[CS/HB 685](#) is in Senate Messages; identical to above

Retirement and Insurance

[HB 5137](#) substituted for [SB 1802](#) is in conference committee; addresses retirement rates; revises the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2009, and July 1, 2010. Provides a declaration of important state interest.

[SB 1802](#) substituted for [HB 5137](#) is in Senate Messages and refused to concur; similar to [HB 5137](#)

State Retirement

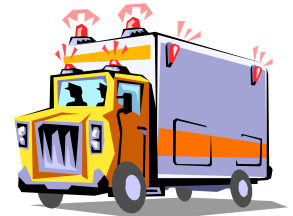
[CS/CS/CS/SB 1182](#) is on the Special Order Calendar for 4/28/09; committee substitute filed that changes the wait period and provisions for being rehired; not sure what will happen on floor vote.

[CS/HB 479](#) is in Senate Messages; retirees may not renew membership in FRS; DROP participation is final once first payment is credited; DROP does not guarantee employment for the specified period of DROP; a FRS retiree re-employed on or after January 2010 cannot be eligible for renewed membership in FRS; will not affect anyone who drops prior to January 1st, 2010.

EMS Training Field Internship

[CS/SB 948](#) is in House Messages; provides for the paramedic field internship program; changes "ambulance" to "vehicle with rule authority" to define further.

[CS/HB 861](#) Ready for 3rd reading; similar to above.



Transparency Government Spending

[CS/HB 971](#) is on the Calendar; work load issue, must post everything related to procurement on web site

[SB 1796](#) is in House Messages; identical to [CS/HB 971](#)

Career & Adult Education

[CS/SB 1616](#) is in House Messages; renames the Division of Workforce Education within the DOE as the "Division of Career and Adult Education"; revises the membership of the Seaport Security Officer Qualification, Training, and Standards Coordinating Council by replacing the chancellor of the Community College System with the Commissioner of Education; provides an exception for adult high school students regarding certain prerequisites for high school graduation. Amended in OPPAGA study.

[HB 707](#) Ready for a 3rd Reading; identical to [SB 1616](#); plus OPPAGA study comparing public with private program offerings; amendment pending that will take on Senate OPPAGA study with cost to student.

