



AFC conducted its 2015 Legislative Days event this week. Sixty-five AFC members came to Tallahassee to learn about advocacy, meet with legislators, and attend legislative committee meetings. Attendees also had the opportunity to participate in the Student Government Association's Rally in Tally last Thursday morning along with over 400 students and other college supporters. Presentations by AFC CEO Michael Brawer, TCC Trustee Karen Moore, former college lobbyist and senate staffer Barbara Cohen Pippin, and FSW College Lobbyist Matt Holliday covered a diversity of topics including how a bill becomes law, effective communications with legislators, and the AFC advocacy process. With very little movement on several issues being monitored by the AFC team, this issue of Capitol Perceptions will cover other things of general interest happening legislatively.

### **FCS Baccalaureate Degrees**

There was no movement this past week of [SB 1252](#). The bill, sponsored by Sen. Stargel and heavily amended by Sen. Negron, is momentarily stalled in the Senate, but we expect it to be picked up in an appropriations bill some time by next week. There is still no comparable bill on the House side. However, the Council of Presidents re-affirmed its position regarding the proposal this week. They are firmly opposed to name changes for any college, and are willing to pushback on efforts to cap enrollments in our bachelor's degree programs. They also support keeping the timeline for degree approval the same in order to be responsive to local and regional workforce and economic development needs.

### **Things Are Going Great Guns, but not on Campus**

The News Service of Florida reports that the Senate likely will not move forward with a controversial measure that would allow people with concealed-weapons licenses to carry guns on the campuses of Florida colleges and universities. Senate Judiciary Chairman Miguel Diaz de la Portilla, R-Miami, said Thursday he doesn't plan to have the proposal ([SB 176](#)) go before his committee, which would effectively kill the bill. The bill, which has cleared two committees, would have needed to get through the Judiciary and Rules Committees to reach the Senate floor. The House version ([HB 4005](#)) is ready to go to the House floor after clearing three committees.

The emotionally charged measure, backed by the National Rifle Association, has drawn opposition from the FCS Council of Presidents, Moms Against Guns, the League of Women Voters, the state university system's Board of Governors, university police chiefs and the 12 public universities. Among the opponents has been Florida State University President John Thrasher, who, until November, was a powerful senator.

Some good news for the guns rights activists is a measure that would allow people without concealed-weapons permits to pocket their legally owned guns during a declared emergency is now headed to the

governor. The House voted 86-26 on Thursday to approve a proposal ([SB 290](#)) that would allow people to carry guns without concealed-weapons licenses for 48 hours during mandatory emergency evacuations. The bill would only apply to people who legally own guns. A spokeswoman for Gov. Rick Scott, who prodded the Florida National Guard to back a similar measure last year, wouldn't say on Thursday if Scott would sign this year's proposal. "If it gets to his desk, he'll review it," Scott spokeswoman Jackie Schutz said.

Last year's proposal died in the Senate, amid concerns by the Florida Sheriffs Association and some Republican and Democratic senators. But Sen. Jeff Brandes, R-St. Petersburg, made changes this year to address the concerns of law enforcement, such as adding the 48-hour limit. The timeframe can be extended by the governor during a crisis.

### **A Little More Affordable**

The House Education Committee has passed a plan to address college affordability. [HB 7125](#) is similar to the Senate plan ([SB 948](#)). They require the state colleges and universities to publicly notice any proposal to increase tuition and fees at least 28 days before the meeting. It also prevents the University System's Board of Governors from delegating authority over tuition for graduate and professional programs and out-of-state fees.

### **Tax Breaks Galore**

The House passed a \$690 million tax cut package, but only if the Senate agrees. Senate leaders say that won't happen because they remain stalled over accepting \$2.2 billion in federal program funds that help hospitals treat low income patients. In a compromise with the federal government, the Senate is proposing to restore those funds by expanding Medicaid. House Republicans oppose. Instead, the House passed tax cuts that are similar to those proposed by Gov. Rick Scott, further solidifying their new alliance in opposing Medicaid expansion. The cuts include:

- Reduce the communications services tax by 3.6 percent: \$470.5 million.
- Reduce the sales tax on commercial leases from 6 percent to 5.8 percent: \$53.1 million.
- Exempt college textbooks and other instructional material from sales tax: \$43.7 million.
- Raise the property tax exemption for residents who are widowed, blind or totally disabled: \$41.3 million.
- Exempt certain agricultural items from the sales tax: \$13.4 million.
- Create a new corporate income tax credit for defense contracting companies who hire Florida-based contractors: \$5.5 million.
- Exempt books and other reading materials sold at book fairs: \$2.8 million.
- Exempt support organizations from collecting a sales tax if the tax is paid on school concessions: \$1.7 million.
- Exempt gun club memberships from sales tax: \$1.2 million.
- Create a credit or refund for wholesalers selling aviation fuel to a university based in Florida offering a graduate program in aeronautical or aerospace engineering and flight training through a school of aeronautics or college of aviation: \$900,000.
- Exempt vehicles bought by service members overseas and brought back to Florida from the sales tax: \$800,000.
- Increase exemptions for service members: \$200,000.
- Create a Back-to-School Sales Tax Holiday, July 31-Aug. 2: NA
- Create a sales tax exemption for items \$1,000 or less sold by certain small businesses: NA

- Give income tax credits for companies that engage in research in Florida: NA
- One-time increase in tax credits for environmental clean ups: NA
- Repeal any remaining exceptions to the 2005 elimination of estate tax repeal: NA

### **What's In the Pot?**

As reported by News Service of Florida, citing frustration with delays in getting non-euphoric cannabis to patients, a Florida Senate panel Thursday pushed forward a revised attempt to create a regulatory framework for the pot industry, but did not include changes sought by black farmers who complain they would be shut out of the industry. The bill, approved by the Senate Rules Committee and headed to the Senate floor, would quadruple the number of state-approved businesses that could participate from five to twenty.

The Florida Department of Health would choose by lottery two licensees in each of five regions to grow, process and distribute cannabis that reportedly does not get users high but is believed to dramatically reduce or eliminate life-threatening seizures in children with rare forms of epilepsy. Ten other "dispensing organizations" would also receive licenses.

Senate Regulated Industries Chairman Rob Bradley, who was instrumental in passage of a 2014 measure that legalized the non-euphoric pot for certain patients, is backing another effort this session after legal challenges delayed health officials' attempts to get the medical marijuana industry off the ground. In addition to increasing the number of "dispensing organizations," Bradley's bill would expand the types of patients who would be eligible for the treatment, but would leave intact the makeup of the marijuana --- a maximum of .08 percent of euphoria-inducing tetrahydrocannabinol, or THC, and at least 10 percent cannabidiol, or CBD --- currently authorized in the law. Critics say the THC levels are too low to aid patients with cancer, AIDS, Parkinson's diseases, Alzheimer's disease and other conditions included in the Senate plan ([SB 7066](#)), which also was expanded Thursday to include autism.

Bradley said he expects "a robust discussion" about the THC levels on the Senate floor when the bill comes up for a vote before the session ends May 1. The revised measure, approved Thursday by the Regulated Industries Committee in an 11-1 vote, would also prevent marketing of the pot products as candies that would appeal to children. Senate budget chief Tom Lee, a former Senate president, objected to the current law's requirement that nurseries must have operated in Florida for at least 30 years and grow a minimum of 400,000 plants to apply for one of the dispensing-organization licenses. Qualified growers would "have to be one of the original settlers of Florida," Lee quipped. No black farmers meet the criteria, representatives of the Florida Black Farmers and Agriculturists Association recently told a Senate committee.

Bradley said he shared concerns about the requirements, but the committee rejected an attempt by Senate Minority Leader Arthenia Joyner, a black lawyer from Tampa, to reduce the minimum years of operation for growers to five and the minimum number of plants to 100,000. Bradley said he wouldn't defend those guidelines because they weren't his idea. But he said he is focused on getting the low-THC products to parents of children with severe epilepsy who pushed for the bill last year. Bradley's measure would require health officials to start issuing licenses within 75 days after the bill becomes law, which would happen as soon as Gov. Rick Scott signs it.

The House does not have a companion measure, but GOP leaders in the chamber have said they are waiting to see what happens with the Senate proposal. "I made the decision, for what it's worth, that if we go too far in messing up what we did last year and we change it too fundamentally, then it will just result in more delays," Bradley said. "What I'm trying to do is clear the deck so we can get this in the ground and in the hands of these suffering families."

## **To Test, or Not to Test?**

Sunshine State News reports that in response to a backlash about the continued use of high-stakes standardized tests, the Florida Legislature on Thursday passed significant changes to the system that was primarily put in place by former Gov. Jeb Bush. The changes, though not as wide as critics wanted, still represent a departure for Republicans who had fully embraced the reforms championed by Bush during his eight years in office. Bush is touting his reforms in what appears to be a likely presidential campaign.

The measure sent to Gov. Rick Scott would limit the amount of testing that can be done in public schools, including a firm cap of 45 hours of state-authorized testing per year. It would also undo a restriction on school starting dates that had been put in place at the urging of Bush. Schools could start as soon as Aug. 10 under the bill. House Speaker Steve Crisafulli contended that the changes should not be seen as retreat from the A+ plan adopted back in 1999, Bush's first year as governor. "We have made great strides in Florida based on the A+ plan," said Crisafulli, a Merritt Island Republican. "I think we continue to make great strides, and a lot of that was based off those policies, but we're always open to massaging those policies, and that's what taken place." Scott has not yet said whether he will sign the bill into law, but the GOP governor in the past has echoed those who said the amount of testing in state schools has gotten out of hand. Scott earlier this year suspended an 11th-grade standardized test that had been scheduled for spring.

Bush's A+ plan expanded the use of standardized tests from the third grade to 10th grade. It also created an A-to-F grading system of schools tied to test results. Schools with top grades are rewarded with extra money, and chronically failing schools can be subject to sanctions. Other tests, including end-of-year exams, were added later by legislators to the state's standardized testing regimen. This year Florida switched to a new test — called the Florida Student Assessment — based on new standards primarily founded on Common Core. The rollout of the test was marred by technical glitches.

But even before the test was given this year a backlash was mounting. One southwest Florida school district voted in August to opt out of statewide testing. The board reversed the decision a week later. The mounting frustration was evident on the Senate floor last week. Sen. Tom Lee, who had been Senate president while Bush was in office, complained there was "too much damn testing" going on in the state. He also complained about the influence on education policy by the foundation set up by Bush to promote his changes. Senators insisted on adding clauses to the bill sent to Scott that would delay the release of this year's school grades until an independent review of the new test can be performed. Other sanctions associated with annual testing would also be put on hold while the review is underway.

Some legislators said the bill still doesn't do enough to undo the current system. "I don't think it's a panacea, and I'm afraid we will hear a lot from educators," said Rep. Dwight Dudley, a St. Petersburg Democrat. Despite the public criticism leveled at the group, the executive director of the Foundation for Florida's Future still praised the bill now headed to Scott. "They voted to keep education transparent and provide teachers with the information they need to help students learn, while ensuring testing at every level is done thoughtfully," said Patricia Levesque in a statement.