



Week Two of the 2015 Legislative Session was relatively quiet for the AFC lobbying team. This week coming portends to be a bit more exciting as bills we are closely watching begin to move through the committee process.

GUNS ON CAMPUS

[HB 4005](#) and [SB 176](#) (identical) regarding Concealed Weapons Carry on Campuses

SB 176 will be heard today at 2:00 in the Senate Higher Education Committee. As previously stated, these bills would remove a provision in FS 790.96 that prohibits concealed carry licensees from carrying and open or concealed handgun into a college or university facility. Currently, the law only allows for firearms in a vehicle in the parking lot. The bills have passed the House (Jan.21) and Senate (Feb.16) Criminal Justice Committees. The AFC is strongly opposing this. Rumors are running rampant about the prospect of these bills being passed. Although it is too early to tell, we know that the early votes in committee have been marginal (8-4 in the first House committee, and 3-2 in the first Senate committee). However, anything can happen and we are diligently monitoring the bills.

The effort behind this bill emanates from Florida Carry, Inc. v. University of North Florida case heard by the FL courts. In December 2013, the Florida First District Court of Appeal decided the case of Florida Carry, Inc. v. University of North Florida. The issue of statutory construction before the court was whether the University of North Florida violated the Legislature's pre-emption of the "whole field of regulation of firearms" by adopting policies and regulations prohibiting storing a weapon in a vehicle located on UNF's property. The university's position was that the regulation was authorized under s. 790.115(2), F.S., which provides that firearms may not be possessed on school property, except when securely encased within a vehicle, but that "school districts" may adopt policies to waive the "within a vehicle" exception. The judges all agreed that UNF did not meet the definition of "school district" and therefore the university could not waive the "within a vehicle" exception. This finding by the court settled the matter under dispute which opened the door for firearms and weapons being stored in vehicles on postsecondary school property.

The court went beyond the resolution of the matter of statutory construction, however, taking up the question of whether state universities have the power, under Article IX, Section 74 of the Florida Constitution, to implement a regulation that conflicts with a statutory provision. The court found that the Legislature had preempted UNF's independent regulation of firearms, but in doing so also acknowledged: *"If the issue in this case involved the right of a student to carry a firearm in the classroom or at a sporting event, our analysis would be different. There are certain places where firearms can be legally prohibited, but the legislature has recognized that a citizen who is going to be in one of these places should be able to keep a firearm securely encased within his or her vehicle."*

STATE BOARD OF ADMINISTRATION

[HB 913](#) and [SB 7024](#) regarding restrictions on investments in Northern Ireland

One may ask why a bill related to restrictions on investments in institutions doing business with Northern Ireland has anything to do with our colleges. Colleges may invest via the State Board of Administration investment programs. But due to unstable social and financial conditions there, investments were halted many years ago, leaving the investments of several hundred state entities in the lurch. Northern Ireland has since addressed the concerns that cause several states to halt their investments there. This legislation would allow for the re-distribution of interest earned as the investment ban would be lifted. The result would be about \$1.2 million being returned to 26 of our colleges. HB 913 is being heard by in its first of two committees, House Government Operations Subcommittee on Tuesday, March 17th at 8:00 am in 212 Knott Building. SB 7024 is being heard by its last committee – Senate Full Appropriations on Wednesday, March 18th at 1:30 PM in 412 Knott Building

BACCALAUREATE DEGREE

[SB 1252](#) (no companion bill) regarding Baccalaureate programs

Last week, we all heard articulate and well presented data regarding the state of the FCS baccalaureate degree program at a workshop provided to the Senate Education Committee. Led by Office of Public Policy and Government Accountability Analyst Emily Sikes and Valencia College President Sandy Shugart, the presentations covered numerous successes and benefits to Floridian's via access to FCS baccalaureate programs. The goal for this year is to see the current moratorium on baccalaureate degree approvals sunsetted. However, rumors are running rampant about extending the moratorium to revise "standards" for approving programs moving forward, despite the fact that the process is fairly arduous already. The Council of Presidents and the AFC lobbying team are watching this very closely.

APPRENTICESHIP PROGRAMS

[SB 948](#) (no companion) regarding apprenticeship programs

This bill does several things with regard to offering apprenticeship programs at postsecondary institutions. Among them, it changes the term journeyman to "journeyworker" to be politically correct. It also allows for related instruction to be presented by a variety of methods including classroom, occupational or industrial courses, or correspondence courses of equivalent value, including electronic media or other forms of self-study instruction.

The bill also covers Rapid Response Training by establishing it within the Complete Florida Plus Program and shall work directly with Enterprise Florida, Inc., in project-specific industry recruitment and retention efforts to offer education and training programs to businesses' employees. The Rapid Response Education and Training Program must issue challenge grants through requests for proposals that are open to all education and training providers, public or private. These grants match state funding with education and training provider funds to implement particular education and training programs.

RETIREMENT

[SB 1054](#) and [HB 565](#) (similar) regarding Reclassification of Senior Management Positions

These bills co-sponsored by the AFC would allow for the reclassification of senior management positions during a six-month period, once every five years. Both bills passed their first committees of reference last week. We are confident these bills will sail unimpeded to passage.

MEMBER ORGANIZATIONS

[SB 1114](#) and [HB 549](#)(c1) (identical) regarding Membership Association reporting

These bills would have a direct impact of the AFC and appear to be on the fast track to passage. The bills require associations receiving 25% or more of its revenue from public funds to report many things annually. They include dues paid and the amounts, employee salaries and benefits, current financial summaries, and statement of liabilities and assets among others.

FROM THE The News Service of Florida. Used with permission. ©2015

THE CAPITAL, TALLAHASSEE, March 13, 2015.....It might not be the O.K. Corral just yet, but the Legislature was the site for plenty of discussions about guns and showdowns this week. Lawmakers seem like they might be ready to pull the trigger this session on a bill allowing more people to carry concealed weapons during emergency evacuations, though it's still not clear if efforts to open the doors of colleges and public schools to weapons will hit their mark. Meanwhile, as state economists issued their last revenue projections before lawmakers craft the state budget, the House and Senate began staking out positions on some of the other issues that might define the last-minute deal-making in the weeks ahead. But in contrast to the conflict elsewhere, a truce appeared to be taking hold between Gov. Rick Scott and the Cabinet over the process for evaluating and, if necessary, dismissing state agency heads. Perhaps the closest thing the state had to a sheriff will be the only one caught in the crossfire.

TO END ALL PERSONNEL CONFLICTS

While the Legislature was busy preparing for war, Scott and the Cabinet seemed to be making peace. They approved new steps to review the work of agencies they jointly oversee, while also agreeing to extend the time for the Office of Insurance Regulation, the Office of Financial Regulation and the Department of Revenue to respond and offer input into proposed agency performance measures. "They ought to have input in the scorecard that they're being judged by," said Agriculture Commissioner Adam Putnam, who serves on the Cabinet with Chief Financial Officer Jeff Atwater and Attorney General Pam Bondi. The extra time to respond gives the agencies until May or June before their leaders will make their cases to Scott and the Cabinet, rather than at an April 14 Cabinet meeting as had recently been proposed. Despite pushback from Cabinet members, Scott has pursued replacing Insurance Commissioner Kevin McCarty, Office of Financial Regulation Commissioner Drew Breakspear and Department of Revenue executive director Marshall Stranburg. Asked if he'd like to see a faster process, Scott instead praised Tuesday's lengthy Cabinet discussion. "I think we had a good conversation about a process," Scott said after the meeting. The new guidelines require Cabinet-level agencies to annually outline goals and showcase their value to taxpayers. But while the agency heads could be replaced at any time through a vote of Scott and a required number of Cabinet members, the guidelines won't force the agency heads to face annual automatic up or down votes. The measures were drafted after Cabinet members voiced displeasure with the abrupt removal of Florida Department of Law Enforcement Commissioner Gerald Bailey in December.

LEGISLATURE LOADED WITH GUN BILLS

If there's one group that often gets its way at the Capitol, it's the National Rifle Association --- whether that's because of ideology or the fact that lawmakers think it's unwise to anger people who own guns. And an NRA-backed proposal that was notably defeated in 2014 might be on the brink of passing this year. The Senate Rules Committee voted 8-2 this week to send to the full Senate a bill ([SB 290](#)) that would allow people to carry guns without concealed-weapons licenses during the first 48 hours after emergency

evacuation orders are given. The bill got support from three senators who last year questioned a similar proposal that died on the Senate floor. "I think we'll be fine (this year)," said Sen. Jeff Brandes, a St. Petersburg Republican who made an impassioned but futile effort in the waning days of the 2014 session to advance the similar measure. Last year's bill didn't include the 48-hour evacuation time frame or other new language. The changes were made at the request of the Florida Sheriffs Association, which now supports the proposal. For their part, House lawmakers worked on a different gun bill this week --- one that would allow school employees or volunteers to carry guns on campus. That measure received the backing of the House K-12 Subcommittee on a bipartisan, 10-1 vote. Under the bill ([HB 19](#)), sponsored by Rep. Greg Steube, R-Sarasota, school superintendents could allow designated people to carry weapons on campus. Those people could be current or former law enforcement officers or current or former members of the military. They would have to pass background checks, take school-safety courses and have concealed-weapons licenses. "It's completely up to the district and the superintendent whether they want to do it and how they want to implement it in working with their local law enforcement agencies," Steube said. But Rep. Joe Geller of Aventura, the top Democrat on the committee, said he believed the state should trust law-enforcement agencies to handle school safety. "I don't think an 'American Sniper' approach is the way to protect our kids," said Geller, the lone vote against the bill.

The Senate has been more hesitant about the idea. A similar measure never got a hearing 2013 and passed just one of its four committees last year. The Senate companion to Steube's bill ([SB 180](#)) hasn't been scheduled for a hearing this year. Lawmakers are also considering bills that would allow people with concealed-weapons licenses to carry firearms on college campuses. All the gun talk has made some people nervous. Opponents held a rally this week to urge lawmakers not to add the weapons to places where students already encounter alcohol, drugs and academic pressure.

"These bills are part of a concerted effort by the gun lobby to put more guns in the hands of more people in more places, regardless of how such policies might endanger public safety," said Chryl Anderson, of Moms Demand Action for Gun Sense. "We know that alcohol and drugs and academic pressures are already a toxic mix on college campuses. Adding guns would make things worse." But the NRA and other supporters of the bills say allowing people with concealed-weapons licenses to carry guns on campus will increase school security, pointing to incidents like a November shooting at Florida State University that injured three people. "The recent shooting on the FSU campus and the series of rapes at the University of Florida taught us that we need to restore the rights of licensed adults to carry concealed firearms on campus for protection," NRA lobbyist Marion Hammer said in an email. "Although law enforcement does the best job they can, they can't stop a crime from happening, only the victim has a chance of actually stopping it. They should not be denied the tools to do so."

BATTLE LINES DRAWN - WATER

Most of the fights at the Capitol this year, though, are unlikely to include the use of guns. But there are still differences to be bridged between the House and Senate on a variety of issues, some of which are starting to come into focus now that the first-week proclamations of bromance have given way to the reality of legislative work. A perfect example: House Speaker Steve Crisafulli, R-Merritt Island, said this week he was willing to walk away and try again next year if the two chambers can't find common ground on water policy in the next 50 days.

While the two chambers are looking at widely divergent proposals to enact new water policies across most of Florida, Crisafulli said he doesn't expect leadership-backed water priorities to be used as a late-session hardball bargaining chip for issues such as Medicaid expansion or stadium funding. "I'm not going to pass a bad water bill," Crisafulli told reporters. "If we have a bill that's in play that's just not good

for the future of a clean sustainable water source ... for the future of our state; we don't need to pass a bad bill just to pass a bill."

The House version ([HB 7003](#)), which has already been approved by the full House, is considered more business- and agriculture-friendly than the Senate's proposal ([SB 918](#)), which is viewed as being more project-focused. Sen. Charlie Dean, an Inverness Republican who plays a key role in Senate water issues, called the differences "significant." But Dean also didn't see lawmakers using a voter-approved constitutional amendment requiring the state to set aside hundreds of millions of dollars a year for land and water conservation to advance other issues that are stuck in the budget and late-session conference talks.

HEALTHCARE

One of those issues could be a Senate bill ([SB 7044](#)) that would use billions of dollars in federal money to provide private health insurance to people who do not qualify for Medicaid. It's an alternative to the straight Medicaid expansion contemplated by the federal Affordable Care Act, commonly known as Obamacare, but one that for now hasn't moved the anti-expansion leadership in the House. "Today is a watershed day in the Florida Senate and hopefully in the Florida Legislature," said Senate Minority Leader Arthenia Joyner, a Tampa Democrat who is a member of the Senate Health Policy Committee, which approved the bill. The plan would extend coverage to about 800,000 people. But House Republican leaders aren't going for it yet. "We're going to pay attention to what happens over there," Crisafulli said. "Certainly they're going to have conversations over there that we probably won't be having over here. But at least somebody is having them. They're vetting the issue. And it's certainly their prerogative to do that."