



ASSOCIATION OF FLORIDA COLLEGES

CAPITOL PERCEPTION

A WEEKLY DIGEST OF LEGISLATIVE NEWS

Your Weekly Legislative Update

April 24, 2017
Week Seven Session Summary
April 17 - April 21, 2017
Legislative Session 2017

In This Issue...

1. [Baccalaureate Degree](#)
2. [Performance Measures](#)
3. [House Budget Cuts](#)
4. [School Testing](#)
5. [Public Assistance](#)
6. [Motor Vehicle Insurance](#)
7. [Education and Charter Schools](#)
8. [Employee Insurance](#)
9. [UBER and LYFT](#)

2017 Legislative Session - Week 7

Week 7
April 17-21, 2017

Sen. Artilles Resigns Under Fire

After making "racist comments" Monday night at a Tallahassee club, state Sen. Frank Artilles (R, Hialeah) was forced to resign on Friday. The Legislative Black caucus filed a complaint after Artilles used a slang version of the N-word to refer to fellow white Republican senators during a heated exchange with Democratic state Sens. Perry Thurston and Audrey Gibson, both of whom are black.

The comments were first reported by the Miami Herald. "There is a decision to be made here by Senate leadership," Thurston, a Plantation Democrat who chairs the caucus, said during a Wednesday news conference. "We insist he bear the consequences." The complaint was formally filed by Thurston, who wrote that "the shadow he has cast over the chamber deserves the most

severe punishment."

Artiles was defiant until the end insisting that he will not resign, and will run for re-election in two years. He insisted that "There were several comments in the black caucus that were inaccurate, incorrect and not corroborated by me," Artiles said. "Several comments made in the black caucus put me in a bad light because that's not what was said." Artiles said his dispute with Gibson stemmed from her vote against his legislation concerning property tax value adjustment boards. He responded by questioning her on her legislation concerning "Baker Acting" minors.

Artiles also acknowledged using the slang version of the n-word, though he said he didn't intend it to be racist and that it was directed at six fellow white Republican senators who were instrumental in voting for Senate President Joe Negron, whom Artiles called a "pussy" for his bad management of the Senate. After an attempt to apologize on the Senate floor on Wednesday morning, Artiles said much of this is tied to campaign politics. "Let's make it clear, I'm in a targeted seat," Artiles said. "It is very clear that the press obviously is doing its job and the Democrats are looking to target the seat."

The Senate could have removed him with a two-thirds vote of the chamber, 27 members. It would appear that was going to happen which resulted in him deciding to resign.

Winding Toward May 5!!

As the 2017 Legislative Session winds down into the final two-weeks of "conference" negotiations, there is no additional news on any of the policy issues facing the Florida College System. The AFC lobbying team is working closely with your local legislators to educate and inform them of the impact of policy changes on your students. Below is a brief summary of some of the key issues.

Baccalaureate Degree Approval Process ([SB 374](#) and [HB 929](#))

Some minor tweaks to the submission process include getting the notice of intent into the DOE system, and submitting the actual proposal within 100 days of that. There has also been an extra 30 days added to the outside review process to give universities and independent colleges in your region to react to the proposal. These changes still keep the overall process to within one year and allow our colleges to be responsive to industry workforce needs regionally.

Baccalaureate degree enrollment caps ([SB 374](#) and [HB 929](#))

Despite our adamant opposition, it is beginning to appear that some form of enrollment cap on our four-year degrees will be implemented. We believe this may be moving favorably toward a statewide "system" cap in the final agreement.

State Board of Community Colleges ([SB 374](#) and [HB 929](#))

We are hearing that there is more support on both sides, House and Senate, for a new SBCC. This would simply change our system reporting and administrative oversight from the State Board of Education to the new SBCC. All the current Division of Florida Colleges staff and then some would become part of the new operation. The Division would be renamed the Division of Florida Community Colleges. We prefer this whole issue be studied first and considered via the constitutional amendment process by the Constitutional Revision Commission. Assuring our local boards of trustees remain empowered will become a primary focus of how this is implemented.

Performance Measures ([SB 2](#) and [SB 374](#))

As described in prior newsletters, SB 2 which became part of SB 374 included two additional

performance measures. One relates to college affordability. The other provides incentive for colleges who complete students with 100% of prescribed program time.

HOUSE BUDGET CUTS TARGET RESERVES AND FOUNDATIONS -- STILL UP FOR NEGOTIATIONS - How much would each state college lose under House budget plan? It depends... By Jessica Bakeman (Politico) 04/18/17

If approved, the House's proposed \$72.6 million in cuts to public colleges wouldn't be shouldered equally across the state's 28 schools. The reductions to individual institutions within the Florida College System range from \$0 to \$13.4 million, according to a detailed spreadsheet of the proposed cuts as prepared by the House and obtained by POLITICO Florida through a public records request. Bigger schools could be cut by tens of millions. Miami Dade College's reduction would be \$13.4 million, or 16 percent of its reserve funding, while Broward College would lose \$9.6 million, or 18 percent of its balance, according to the spreadsheet.

And some schools are bracing for cuts of more than a quarter of the amount they have in rainy day funds. North Florida Community College would be cut about \$402,000, which is equal to about 25.7 percent of its reserve balance. However, three schools — Eastern Florida State College, Indian River State College and South Florida State College — won't sustain any cuts at all. If a college is slated to lose funding under the House's proposed budget, it's because the school transferred some public dollars to private foundations, maintained a reserve balance that's equal to more than 10 percent of its operating budget or both. The schools that did neither aren't seeing any reductions under the plan. College officials have defended foundation spending, arguing schools generate a significant return on investment for public dollars they spend paying staff to solicit private donations.

But they're especially concerned about the House's methodology for doling out reductions based on schools' reserves. The fund balances vary throughout the year depending on whether the schools are using the money for major purchases, including construction. So a snapshot at any given time could portray an inaccurate idea of how much the schools actually have in savings, administrators said.

The House's proposed cuts are based on how much money the colleges had in reserves on June 30, 2016. Michael Brawer, C.E.O. and executive director of the Association of Florida Colleges, which lobbies on behalf of the schools, said that was outdated and pointed out that similarly structured cuts to public universities were based on fund balances from more than six months later. Brawer said colleges shouldn't be punished for saving. "Reserve balances are a sign of great financial stewardship by our presidents and their boards," he said. "Reserve funds save our colleges on the proverbial rainy day. No CEO would operate a business without an adequate reserve."

David Armstrong, president of Broward College, said his school's reserves are often at much lower levels than the \$52.1 million figure that the House used to calculate an \$8.5 million cut. The school uses the reserve as a "savings account" for big purchases, he said. For example, the school has used the money to chip away at about \$90 million in construction needs. Also, the college recently spent about \$500,000 on a technological tool that will aid in academic advisers' efforts to keep students on track toward on-time graduation.

Rep. Larry Ahern, a Seminole Republican, justified the proposed cuts by arguing that higher education spending has increased at a faster rate than other areas of the budget. He has also argued the House's plan treats colleges more fairly than the Senate's, which cuts colleges while increasing funding to universities. "The Senate has their position; we have ours. And this one, I think, obviously is more fair and equitable," Ahern said. Lawmakers are currently debating

allocations of funding for each budget area. Then they will begin negotiating for a compromise. Session ends May 5.

[SB 926](#) by Flores regarding School Testing

The bill is aimed at reducing the number of standardized tests administered in Florida and has passed its final Senate committee. It has been amended to include other issues and school recess provisions. School districts would begin testing later in the year, eliminate requirements that students take four end-of-course tests in high school and allow students who do well enough on college-entrance and other advanced national exams to skip some state tests. But other provisions that have experienced trouble gaining traction on their own are now traveling along with the bill. One of the more significant changes would require schools to give elementary school students 100 minutes of "free-play recess" each week, including at least 20 minutes each day. A bill requiring recess has passed the Senate but ground to a halt in the House. "We hope that it will give members of the Legislature, both in the Senate and the House, more reason to vote for this great bill," Sen. Anitere Flores, the Miami Republican sponsoring the legislation, said of the amendment.

The bill was also amended to add provisions dealing with excused absences for treatment of autism-spectrum disorders, rolling back caps on teacher bonuses and exempting students in varsity sports from the requirement to take a test in physical education. The PE amendment is questionable because educators say the exam covers health skills and not just sports.

[HB 23](#) by Eagle regarding Public Assistance

This measure would increase sanctions when public-assistance recipients do not comply with work requirements. The measure would also place additional restrictions on where EBT cards can be used. After a brief debate, the House voted to approve the bill.

[HB 1063](#) by Grall regarding to Motor Vehicle Insurance

This bill would repeal the requirement to have personal injury protection(PIP) coverage, and replace it with a requirement for bodily injury coverage. Rep. Julio Gonzalez, R-Venice, said the bill does not address how physicians would be notified if they will get reimbursed if PIP is eliminated. Rep. Larry Ahern, R-Seminole, said reforms passed in 2012 have worked, and there has not been a outcry for repealing PIP. He said the priority should be getting insurers to reduce premiums. He said eliminating PIP would shift costs to health insurance policies. House members voted to approve the bill.

[HB 7101](#) by Cortes regarding to K-12 Education and Charter Schools

This bill would make changes related to charter schools, including increasing access to "high-performing" charter schools. After a brief debate, House members voted to approve the bill.

[HB 7007](#) by Brodeur regarding Employee Insurance

A priority of House Republican leaders will be taken up by Senate committee Monday which would revamp the health-insurance program for state employees. The bill passed the House last month in a vote along party lines. The House's efforts to make the changes in past years died in the Senate. Brodeur's bill, in part, would lead to employees choosing among four different levels of benefits beginning in 2020. The bill would provide an incentive for employees to choose coverage that would cost less than the amount of money the state contributes for premiums. In those situations, the balance of the money would go to employees for such things as salary increases or purchasing additional health benefits. Democratic critics have argued the bill could lead to cuts in spending on health insurance for employees. The Senate committee will consider the issue as lawmakers enter the final two weeks of the regular legislative session, a time when leaders in both chambers maneuver to try to get their priorities passed.

[HB 221](#) regarding UBER and LYFT

It took four years but lawmakers finally passed statewide regulations for ride-hailing companies like Uber and Lyft. The bill was sent to Gov. Scott. If it is signed into law, Florida will create a single statewide set of rules on the ride-hailing industry. Uber and Lyft could expand their app-based services throughout the state. The bill, would overturn all local ordinances targeting ridesharing services effective July 1.

From the News Service of Florida wire.....©2017 The News Service of Florida. All rights reserved. USED WITH PERMISSION

It's Never Too Late To Say You're Sorry

The day before Senator Artilles asked for forgiveness, two groups sat in the House gallery to witness apologies that they had been waiting decades to hear. One of the groups included 17 former students of the Arthur G. Dozier School for Boys, a now-closed reform school that became a sort of torture camp for many of the youths sent there.

A House resolution ([HR 1335](#)) acknowledged that treatment of boys sent to Dozier and a related facility in Okeechobee was cruel, unjust and "a violation of human decency." More than 500 former students have alleged brutal beatings, mental abuse and sexual abuse at the Dozier school, which was shuttered in 2011 after 111 years of operation in Marianna. "That was a genuine thing that was heartfelt by all of the White House boys," said Charles Fudge, a 69-year-old Homosassa resident who wiped away tears during the House debate and vote. "It means an awful lot for them to acknowledge the abuse that went on." Fudge, who was sent to Dozier with three of his brothers in the early 1960s, is part of the "White House Boys" group, which is named after a facility at the school where boys were beaten and abused.

The House also unanimously passed a bill ([HB 7115](#)) that would authorize the creation of monuments in Tallahassee and in Jackson County, which includes Marianna, to commemorate the Dozier and Okeechobee victims. "It's time," said Rep. Cynthia Stafford, a Miami Democrat who helped sponsor the bill. "It's time for closure. It's time for accountability. It's time for justice."

Also on hand Tuesday were descendants and relatives of the "Groveland Four," a group of four black men accused of raping a white woman in 1949 in Lake County. Only two of the men survived the manhunts and discredited trials that followed the allegations, with the case becoming the subject of the Pulitzer Prize-winning book "Devil in the Grove."

Among those watching the proceedings was Carol Greenlee, the son of Charles Greenlee. She still remembered one time when she visited her father six decades ago. "I'm the child that went to the prison one Sunday with my mother, and my daddy kissed me on the head and said, 'Don't bring her back no more. It's too hard,'" Greenlee recalled. "And I didn't see him no more until I was 12 years old." Now 67, she lived to see the House vote to formally apologize for the prosecution and persecution of her father as well as Walter Irvin, Samuel Shepherd and Ernest Thomas. "The memories can't be erased, the pain they've endured can't be fixed, but today we have an opportunity to provide closure to these families in the form of an apology," said Rep. Bobby DuBose, a Fort Lauderdale Democrat who sponsored the House measure (HCR 631). The Senate is expected to approve the apology before the end of the legislative session.

Scott Intervenes

Over the seven regular legislative sessions during his time as governor, Scott has alternately been intensely involved, utterly indifferent, or somewhere in between. This year, after weeks of campaigning for more money for economic development incentives, the governor has decided to push hard in the closing weeks for environmental funding and tourism-marketing dollars. Scott began the week by throwing his support behind a revised Senate water-storage plan in the Everglades and called for lawmakers to financially help the federal government speed repairs to the dike around Lake Okeechobee.

In a news conference, Scott urged lawmakers to add \$200 million to the budget to help the federal government's ongoing repairs to the Herbert Hoover Dike. He also backed a redrawn water-storage plan south of Lake Okeechobee that has been a priority of Negrón. "If we can start working to fix the dike, we can help solve a lot of the water issues we have seen with Lake O," said Scott, who met with seven Senate leaders individually prior to his announcement on Monday. "Repairing the dike is key to enhancing the water quality in South Florida. I am going to be very aggressive at doing whatever we can to protect our environment." The U.S. Army Corps of Engineers currently anticipates a \$1.7 billion project to reinforce the dike could be completed by 2025. Scott said he's addressed his desire to complete the dike repairs by 2022 with President Donald Trump's administration. He also said state money could be freed up for the environmental work because of a federal commitment last week to boost what is known as Low Income Pool health-care funding to \$1.5 billion.

The governor also pushed this week for more money for Visit Florida, which touts the state's beaches and other tourism draws. That's nothing new, but the size of Scott's ask --- \$100 million --- was \$24 million more than he requested earlier. "As I travel the state and talk about this, people are just shocked that the House would even think about reducing marketing in the state for tourism," said Scott, who has feuded for months with House Speaker Richard Corcoran, R-Land O' Lakes, about the future of Visit Florida and the economic-development agency Enterprise Florida.

STORY OF THE WEEK: Sen. Frank Artiles, R-Miami, was forced to apologize after using vulgar and racially-charged language during a conversation Monday evening with colleagues.

QUOTE OF THE WEEK: "I'm from Hialeah." ---Sen. Frank Artiles, R-Miami, explaining his use of the n-word or a close variation of it Monday night, as recounted by Sen. Audrey Gibson, D-Jacksonville, to a reporter for the Miami Herald.

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

Capitol Perceptions - The Back Issues

Click the year to read back issues of Capitol Perceptions

[2017](#) - [2016](#) - [2015](#) - [2014](#) - [2013](#) - [2012](#) - [2011](#) - [2010](#) - [2009](#) - [2008](#) - [2007](#)

