



ASSOCIATION OF FLORIDA COLLEGES

CAPITOL PERCEPTIONS

A WEEKLY DIGEST OF LEGISLATIVE NEWS

Your Weekly Legislative Update

January 29, 2018
Week Three Session Summary
January 22 - January 26, 2018
Legislative Session 2018

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2018 Legislative Session - Week 3 - January 22 - 26, 2018

Association of Florida Colleges Legislative Days

January 30-31, 2018 [Click Here](#) to Register!!

So Close Yet So Far Away....Budget Time

Budget proposals for the fiscal year that starts July 1 were released last Friday: The House budget, nearly \$87.2 billion; the Senate budget, \$87.3 billion. Gov. Rick Scott's ask is \$87.4 billion. Much horse trading will take place over the next two weeks to narrow the gaps and prepare for negotiations on a final budget. Key issues will include health-care spending, public-school funding and the Governor's \$100 million request for tourism marketing.

Specific to education funding, the Senate Appropriations Subcommittee on Higher Education's budget proposal reflects a 6.6 percent increase in spending for colleges and universities, or \$383 million. This is at odds with the House's proposal to cut \$217 million from universities alone with about a \$45 million net reduction for colleges.

The House subcommittee Chair Larry Ahern, R-Seminole, indicated the budget cuts are intended to reduce operating budgets so that colleges will spend surplus funding that has grown in the past several years. Michael Brawer, executive director and chief executive of the Association of Florida Colleges, said he disagreed that higher education should be used to balance the state's budget. "I really don't have much to say about the House budget," he said. "We're starting in a hole, again."

bills. After the budget is approved by the Appropriations Committee, it will go to the full House.

Also this Wednesday (1pm) the Senate Appropriations Committee will take up its proposed budget ([SPB 2500](#)) and related bills. After approval by the Appropriations Committee, the budget will go to the full Senate for consideration.

Constitutional Revision Commission Update

Last week, there were two proposals submitted to the CRC that would have impacted the Florida College System. At its meeting on Friday January 26, AFC CEO Michael Brawer spoke to Education Committee on behalf of the Council of Presidents. He reminded them that the COP has not publically supported either CRC proposal. However, he referred the members to the COP resolution from November 2 sent to each of them that stated they support being placed as a system into the state constitution as long as the current system of local control is maintained.

The Education Committee then voted and approved Commissioner Nicole Washington's Proposal 83. Proposal 83, linked below codifies the Florida College System into the state constitution, and re-affirms 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. Proposal 25 by Sherry Plymale failed in the CRC Education Committee last week. Proposal 25 would have recreated the new State Board of Community Colleges resulting in an overlapping governance authority with our district boards of trustees.

[P 83](#) EDUCATION, by Nicole Washington – Passed favorably by Education; Placed on Calendar, on 2nd reading.

[P 25](#) EDUCATION, by Sherry Plymale - Unfavorable by Education, laid on Table.

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.

modifies the baccalaureate degree approval process to align with current statute.

SB 540 has passed all three committee stops including the full Senate Appropriations Committee as CS/CS/540, placed on the calendar on 2nd reading. Now on Special Order Calendar in the Senate for 1/31/18 for its first full chamber discussion.

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. No change.

HB 1331 has been referred to Post-Secondary Education Subcommittee; Higher Education Appropriations Subcommittee; Education Committee. No change.

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. No change.

HB 423 CS read 1st time in House Post-secondary Education Subcommittee and is now in Higher Education Appropriations Subcommittee. No change.

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 military tuition assistance; requires FCS institutions to report to SBE number & value of such fee waivers granted annually. Mostly impacts FCS institutions with high numbers of active duty service members (e.g. FSCJ, NWFS).

HB 75 Placed on Special Order Calendar, 1/31/18.

SB 460 has passed one committee and the Appropriations Sub-committee on Higher Education. It is now in Appropriations. No change.

[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.

HB 619 - Placed on Special Order Calendar, 1/31/18.

SB 946 has been referred to Senate Education and Appropriations Committees. It still has not been heard. No change.

[SB 1242](#) by Steube regarding weapons carrying (Identical - [HB 739](#) by Fant)

This bill would allow open carry during a wide number of recreational activities. Current Florida law requires a concealed weapons permit for carrying a firearm and FS 790.06 places certain restrictions on carry. SB 1242 would allow people to openly carry firearms, including assault weapons, while engaged in a variety of outdoor activities such as fishing, hiking, trapping, biking, boating, etc.

SB 1242 was withdrawn from consideration on January 18 at the Senate Judiciary Committee.

HB 739 has been referred to the House Criminal Justice Subcommittee; Justice Appropriations Subcommittee and the Judiciary Committee. It still has not been heard. No change.

[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. Pending Reference Review.

HB 1419 – Favorably passed Criminal Justice Subcommittee. Now in Judiciary Committee.

[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 Favorable by Governmental Oversight and Accountability; Now in Appropriations Subcommittee on General Government. No change.

HB 665 – on agenda for Oversight, Transparency and Administration Subcommittee, 1/31/18.

[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 by Education; Now in Appropriations Subcommittee on Higher Education. No change.

Appropriations Subcommittee.

[HB 711](#) by Asencio regarding Pre-Apprenticeship and Apprenticeship Programs (Identifcal [SB 1388](#) by Garcia)

Bills were filed in fall 2017 as recommendations resulting from the Governor's Construction Taskforce in 2016, including funding for expanding apprenticeships related to targeted occupations, considering moving apprenticeships from the FLDOE to Department of Economic Opportunity and establishing a Task Force on Apprenticeship Expansion. HB711 includes an appropriation of \$6.85 million to fund apprenticeships as an Earn & Learn Grant Program.

HB 711 – 11/27/17 Referred to PreK-12 Quality Subcommittee; Appropriations Committee; Education Committee; Introduced 1/9/18.

SB 1388 – Referred to Education; Appropriations Subcommittee on Pre-K Education; Appropriations; On Education Committee Agenda, 1/29/18, 4:00pm.

[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 - On Education Committee agenda, 1/29/18, 4:00pm.

HB 7055 – Referred to Appropriations Committee and introduced, 1/25/18.

[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 ; now in Commerce and Tourism.

HB 1013 – 1/24/18 Passed favorably by Local, Federal and Veterans Affairs Subcommittee; now in Government Accountability Committee.

FROM THE NEWS SERVICE OF FLORIDA WIRE.....

Recap and analysis of the week in state government:

TALLAHASSEE --- Looser gun laws and low taxes? Those were just two of the items the Republican-dominated Legislature advanced this week, offering more proof (as if any were needed) that it's an election year in Florida.

The Sunshine State --- snidely spoofed as "The Gunshine State" by gun-control advocates --- has long been a testing ground for legislation fired out by the National Rifle Association, thanks mostly to NRA lobbyist and onetime national president Marion Hammer. While gun-related bills didn't fare so well last year, they're perennially on the agenda in the Capitol, and this election year is no different.

Committees in the House and Senate are moving forward with measures that would allow people with concealed-weapons licenses to carry guns on the grounds of churches and other religious institutions that include schools. The Senate proposal, however, would ban firearm possession during hours when schools or day-care centers are operating.

A House committee backed a similar plan in a party-line vote --- just a day after two teenagers were killed and 18 others were injured in a shooting spree at a Kentucky high school.

Florida law allows religious facilities to be open to people who have concealed-weapons licenses and are armed. However, state law prohibits people from carrying guns at schools.

As with gun-friendly proposals, lowering taxes --- or at least keeping them low --- is a ubiquitous item on the GOP agenda.

RAISING TAXES...NOT SO FAST

In a priority of Gov. Rick Scott and Speaker Richard Corcoran, the Florida House on Thursday overwhelmingly approved a proposed constitutional amendment that would make it more difficult to raise taxes and fees. The proposal, which could go on the November ballot, would require two-thirds votes by the House and the Senate in the future to increase taxes and fees, up from the usual majority votes.

Meanwhile, another election-year proposal strongly supported by conservatives also inched closer to the ballot this week. A Constitution Revision Commission panel approved a measure that would narrow the right to privacy, the bedrock of numerous Florida Supreme Court decisions overturning anti-abortion laws. At the other end of the spectrum, a proposed constitutional amendment that would expand the rights of convicted felons made it onto the November ballot.

The proposal could open the door for more than 1 million Floridians to regain the right to vote, something proponents maintain is a critical component of enabling convicted felons to feel like they're fully integrated into society.

Ambrose Bierce, the great turn-of-the-19th-century American wit and writer, offered this sly definition of redemption in "The Devil's Dictionary." "The doctrine of Redemption is the fundamental mystery of our holy religions, and whoso believeth in it shall not perish, but have everlasting life in which to try to understand it."

SHOT AT RESTORATION

Desmond Meade broke down in tears while recording a video announcing the "Voting Restoration Amendment" had been approved Tuesday to appear on the November ballot as Amendment 4. The proposal would automatically restore voting rights to felons who have served their sentences, completed parole or probation and paid restitution. Murderers and sex offenders would be excluded.

For Meade, the chairman of the Floridians for a Fair Democracy political committee behind the petition drive, the proposed constitutional change is personal. Meade, a convicted felon and law-school graduate who struggled for years to have his rights restored, spearheaded the campaign, largely bankrolled by the American Civil Liberties Union and other big donors. "I know I'm getting a little emotional right now because only God knows the hard work that was put in to get to this point," a tearful and buoyant Meade said in a Facebook Live post.

"No one thought we would get here. But we're here. We're one step closer. We're one step closer to liberating and giving over 1.6 million a shot at redemption, a shot at restoration, a shot at citizenship," he said. "We've got one more step to go." Black state legislators have tried repeatedly to change state law to allow the automatic restoration of rights. But the Republican-dominated Legislature either quashed or ignored the efforts.

Florida is one of just four states that do not automatically restore felons' voting rights, once they have

for many, expensive.

STAMPING OUT A SCOURGE

Florida lawmakers are poised to spend at least \$50 million to stamp out the opioid epidemic that's caused a spike in overdoses throughout the state.

Dealing with what Scott declared a public health emergency last year is a top priority for the governor and leaders in both legislative chambers.

The House and Senate have each earmarked about \$50 million --- more than half of which comes from federal funds --- to address the drug scourge. The money would be steered to direct services in local communities, with targeted outreach to pregnant women, as well as outpatient care, residential and recovery support and medication-assisted treatment.

The House and Senate, which released initial budget proposals this week, also want to spend about \$1.1 million for upgrades to the prescription drug monitoring program, which is a statewide database aimed at preventing addicts from "doctor shopping" for drugs. The money would go toward providing real-time data uploads and data analysis and to integrate the database with electronic health records.

QUOTE OF THE WEEK:

"You either stand with the people whose money the government takes or you stand with the government that takes it." --- State Rep. Tom Leek, R-Ormond Beach, the sponsor of a proposed constitutional amendment that would make it more difficult for the Legislature to raise taxes.

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

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