



Week Five Session Summary February 6-10 February 13, 2012

IT'S ALL ABOUT THE BUDGET IN WEEK 5

The Florida House of Representatives rolled out a \$69.2 billion budget that provides an additional \$1 billion to education, even though it doesn't come close to making up for last year's cuts. And this budget does it at the expense of other services in order to plug a nearly \$2 billion shortfall. Yet, the House budget passed this week along a party-line vote on Thursday.

There are still some differences with the version of the budget that emerged this week in the Senate's \$70.7B budget. The Senate would slash university operating budgets by \$400 million, expecting the schools to draw on their reserves in the coming fiscal year, while the House would boost tuition by 8 percent. Its public education appropriation would increase by nearly \$1.2 billion.

Fortunately for the Florida College System, our presidents and lobbying team have done a great job of stating our needs and both budgets are fairly similar on the bottom line, despite some differences within, particularly with tuition and the Community College Program Fund. The House puts the CCPF over 12% but provides for an 8% tuition increase to offset it. The Senate actually increases the CCPF a shade over 1%, but offers only a 3% tuition increase.

When advocating for the FCS, certain guiding principles were established early, and that message has resonated, at least as indicated on the bottom line. They are to keep us whole financially, fund our student growth, allow for tuition increases as necessary to accomplish fiscal soundness, and sustain open access. The following provides a breakdown of each Chamber's proposal.

The House Budget

- Total State Appropriation \$986.9M (-4.0%)
- Total with 8% Tuition Increase proposed \$1.954M (+1.1)
 - From Lottery Funds \$173M (+33%)
 - From CCPF \$787.5M (-12.3%)
 - For 2+2 \$3M
 - Includes creation of the Florida Virtual Campus funded at \$27M from CCLA, FCLA, and the Distance Learning Consortium (FACTS.ORG) funds
 - Includes Completion Project with UWF
 - Includes Student Access Pilot project with Western Governors Univ.
 - Includes \$433,182 for Comm. On Community Service (-15%)
 - No funds for Philip Benjamin Matching Grants or the Facilities Challenge Grants

Senate Budget

- Total State Appropriation \$1.038M (+1.1%)
- Total with 3% Tuition Increase proposed \$1.986M (+1.1)
 - From Lottery Funds \$132M (+1.1%)
 - From CCPF \$903M (+1.1%)
 - For 2+2 \$3M
 - Does not include creation of the Florida Virtual Campus
 - Includes \$316K for Distance Learning Consortium
 - Does not include Completion Project with UWF
 - Does not include Student Access Pilot project with Western Governors Univ.
 - Includes \$509,626 for Comm. On Community Service
 - No funds for Philip Benjamin Matching Grants or the Facilities Challenge Grants

[SB1606](#) by Bennett and [HB1375](#) by Sands (similar) regarding the creation of a Postsecondary Education Study Committee

This week we saw the movement of SB1606 which would create a Postsecondary Education Study Committee for the purpose of evaluating and determining whether state university branch campuses should be combined with Florida College System (FCS) campuses to create a three-tier postsecondary education system in the state.

The Governor, President of the Senate, and Speaker of the House of Representatives would appoint the members. The Committee would be required to prepare and submit a report to the Governor and the Legislature by January 1, 2013. The law creating the committee will expire on January 1, 2013. The bill moved favorably last week in the Senate Higher Education Committee but has not moved on the House side yet.

[SB368](#) by Gaetz and [HB7031](#) by Hukill (similar) and the Economic Affairs Committee regarding financial emergencies.

This bill impacts elected governmental bodies and district school boards but also indirectly affects our colleges. It states that if specific costs and services can be coordinated such as building inspections, fleet management, insurance, IT and purchasing to save taxpayers dollars, the entities should consult. The bill also contains a provision that affects our colleges if the Board of Trustees fails to resolve a financial emergency at a college. As governing Board members, they could be charged with malfeasance and neglect of duty, and subject to removal. The Senate version of the bill has passed, and the House version is on the floor for second reading.

[HB5003](#) by Grimsley and the House Appropriations Committee regarding Degree Completion Pilot Project

The House conforming bill is designed to make changes in statute to conform to provisions of the proposed House budget. Among other things in the extensive bill, one very interesting component. It includes a Degree Completion Project. As part of the Florida Virtual Campus (FVC) initiative discussed in a prior week's *Perception*, the bill also directs the Florida Virtual Campus to collaborate with the University of West Florida, University of South Florida, Florida State College at Jacksonville, and St. Petersburg College to implement the Degree Completion Pilot Project which is designed to recruit, recover, and retain Florida's adult learners and assist them in completing an associate or baccalaureate degree that is aligned to high-wage, high-skill workforce need. Specifically, \$5M of the FVC allocation of \$16.9M is to be allocated for:

- degree completion for those students who have stopped attending but have 30 plus credit hours.
- designing a single point of access.
- establishing a pilot partnership between Partner UWF, USF, St. Petersburg College and Florida State College at Jacksonville.
- developing an advising and student support system with degree completion specialists.

- using on-line admissions for transient students.
- creating a statewide marketing program.

FROM THE NEWS SERVICE OF FLORIDA WIRE...

BUDGETS

The House passed a \$69.2 billion budget Thursday along straight party lines, with Republicans saying it was a responsible plan in tight times and Democrats saying it was, well, "half-witted." A short time later, the Senate gave final approval to redistricting maps --- only to be greeted immediately by a Democratic Party-backed legal challenge. Meanwhile, chatter continued in the Capitol about divisions within the Senate, as President Mike Haridopolos, R-Merritt Island, tried to round up enough votes to pass a controversial prison-privatization plan.

The House budget plan will increase public school funding by about \$1 billion and avoid tax hikes. But Democrats criticized proposals that ranged from raising university tuition to limiting how many times Medicaid patients can get treatment in emergency rooms. "I cannot support a budget that is balanced on the backs of Florida's middle class and hard-working Floridians," said House Minority Leader Ron Saunders, D-Key West.

Republicans, however, said they made the best of a budget that, by some estimates, has a shortfall of as much as \$2 billion. "The budget before you meets our responsibility to provide health-care services to Florida's most vulnerable while also living within our means and keeping our taxes low," said Rep. Dana Young, R-Tampa.

Amid the back-and-forth, House Republicans and Democrats joined together on one high-profile issue: They unanimously approved setting aside \$10 million to keep open a Jefferson County prison.

Senate subcommittees also offered budget proposals this week that included a \$1.2 billion increase for public schools. Other parts of the budget braced for cuts, including hospitals and substance abuse and mental-health treatment programs.

REDISTRICTING PLAN BOUND FOR THE COURTS

Barely halfway through the session, lawmakers finalized new maps for legislative and congressional districts. But the once-a-decade reapportionment process is far from finished.

The GOP-dominated Legislature and opponents now will argue in court about whether the maps comply with constitutional requirements.

Within moments of a final Senate vote Thursday, the state Democratic Party announced a lawsuit contending that the maps violate a 2010 anti-gerrymandering constitutional amendment. "Now the courts have to step in to implement the will of the people --- a job the GOP in Tallahassee failed to accomplish," Democratic Chairman Rod Smith said.

Senate Reapportionment Chairman Don Gaetz, R-Niceville, fired back at opponents, though he knew challenges would be coming. "The sad part is, now the taxpayers of Florida have to be dragged into court by special-interest groups who always intended to be dissatisfied," Gaetz said.

While the legal issues still need to be resolved, the maps have already led to jockeying among politicians. As an example, longtime Republican Congressman John Mica announced Friday he will run in a reconfigured Central Florida district that also includes Republican Congresswoman Sandy Adams. As another example, state Rep. Brad Drake, R-Eucheanna, said Thursday he won't run this year in the new House District 5, but announced his candidacy for the seat in 2014. That clears the way for Rep. Marti Coley, R-Marianna, who also lives in the Panhandle district, to run without another incumbent in the primary. Coley will be term-limited in two years.

PRISON PRIVATIZATION

Senate President Haridopolos this week continued to delay a vote on a plan to privatize prisons across the southern half of the state. The president and Budget Chairman JD Alexander, R-Lake Wales, have made the issue a priority, saying it would save money for the state. But Haridopolos has acknowledged that he likely didn't have enough votes to pass the measure when it first went to the Senate floor last month. He wouldn't say Thursday whether he has convinced enough Republican members to go along with the proposal. But he said he expects to bring it up for a vote Tuesday. "It's a very close vote," Haridopolos said.

MEDICAL MALPRACTICE

Republican splits also appeared this week about a proposal that would add new restrictions on medical-malpractice lawsuits and expand drug-prescribing powers for optometrists.

The Florida Medical Association and the optometric industry, which have battled for years about drug prescribing, negotiated a deal that helped lead to a 65-page "strike all" amendment in the Senate Health Regulation Committee.

Senator Don Gaetz and Rules Chairman John Thrasher, R-St. Augustine, pushed the amendment through the committee, despite efforts by four Republicans to eliminate parts of the medical-malpractice restrictions. Gaetz described the proposal as a "peace treaty" because it would resolve the fight among doctors and optometrists about prescribing oral medications. In exchange for going along the optometrists' expanded prescribing powers, the FMA would receive medical-malpractice restrictions that it has made a top priority.

But the process appeared to trouble committee Chairman Rene Garcia, a Hialeah Republican who fought unsuccessfully to remove one of the malpractice changes that he indicated wouldn't do enough to protect patients. When asked after the meeting about the deal, Garcia replied simply, "I wasn't part of the deal."

