



**Week Six Session Summary February 13-17
February 20, 2012**

COLLEGE PRESIDENTS SPEAK ON THE HILL

As many as 13 Florida College System presidents have now participated in two separate discussions with the House Education Committee during the past two-weeks. These fact-finding discussions were made at the request of Rep. Bill Proctor (R, St. Augustine), the committee's chair. The presidents discussed the status of Florida's community colleges, focused on the colleges' dual missions of Associate degree completion and transfer to four-year universities, targeted four-year workforce-focused degrees, and preparation to enter the workforce through shorter term certificate and training programs. The FCS numerous STEM-focused programs were highlighted as meeting local employers' hiring needs. The entire session was a lively and frank discussion about numerous issues ranging from tuition costs to accountability.

BUDGET UPDATE

As previously reported, the House has completed work on its \$69.2 billion budget for the Fiscal year 2012-13. That plan allocates \$986.8 to the Florida College System, and allows for an 8% increase in tuition. With the tuition increase, this represents a 0.4% increase from the current budget year.

The Senate rolled out a \$70.8 billion proposal late last week in subcommittees, and is under review by the Budget Committee this week. It is expected to be approved by the entire Senate during the week of Feb. 20th. The Senate proposal allocates \$1.044 billion in state funds to the FCS, and allows for a 3% increase in tuition. With the full 3% tuition increase, this represents an increase of 1.7% over the current fiscal year.

In contrast, Governor Scott's budget proposal for the FCS is \$1.044 billion in state funds with no increase in tuition. The Governor has repeatedly stated that he will not allow tuition to rise.

We expect most of the budget differences will be resolved when conference committees from each Chamber begin meeting in about a week.

UNIVERSITY OF SOUTH FLORIDA AND FLORIDA POLYTECHNIC UNIVERSITY

Many of you have probably already heard about the proposed 12th state university. It has become a difficult and contentious issue among some legislators. Last week, the Senate budget proposal and related conforming bills were released. Contained therein was the Senate proposal to cut \$79 million in state funding from USF. The proposal went on to include a provision that \$25 million would be held by the state pending USF's cooperation in making the Lakeland campus into "Florida Polytechnic University". USF estimates the proposed impact of the split on its pharmacy college and staffing changes amounts to almost \$104 million.

Later in the week though, Sen. Alexander agreed to restore the \$25 million that would have been held back contingent upon the Florida Polytechnic split.

The whole issue will not be resolved until the conference process begins. Indications are that it is unlikely that the House will agree to the Senate proposal.

PRESIDENT OBAMA'S PLAN FOR COMMUNITY COLLEGES

While college presidents and trustees converged on Washington DC for the Association of Community College Trustees National Legislative Summit, President Barack Obama who had just unveiled his federal budget proposal announced the creation of an \$8 billion "Community College to Career Fund". Under the president's plan, states, industries, and colleges that were successful in placing workers in jobs would be eligible for additional "pay-for-performance" money. The fund would also finance a six-week online training course on entrepreneurship for up to 500,000 new entrepreneurs and an intensive six-month entrepreneurship-training program for 100,000 small-business owners.

The proposed new fund would also train workers for unfilled jobs through apprenticeships, on-the-job training, and internships. It would also support industry efforts to develop skills consortia, standardize industry certifications, develop new training technologies, and offer grants to state and local governments that encourage companies to locate in the United States.

However, it seems unlikely that the president will get as much money as he's asking for. In 2009 he asked Congress to approve \$12-billion for community colleges, but that amount was whittled down to \$2-billion in the final bill.

SB 1560 BY THRASHER REGARDING RESTRICTING MEMBERS OF THE LEGISLATURE FROM EMPLOYMENT WITH A STATE UNIVERSITIES OR COLLEGE; NO HOUSE COMPANION

This bill, proposed by Rules Chairman Sen. John Thrasher, would have required that a member of the Legislature employed by a college or university surrender their employment before seeking re-election.

Several members of the current Legislature are employed as instructors or administrators at public colleges and universities in Florida and would have to choose between legislative service and their employment. The bill initially was approved narrowly in the Ethics and Elections Subcommittee, but was defeated on a 6-6 tie vote in Sen. Thrasher's own Rules Committee and is dead for this session.

HB 7059 by STARGEL AND THE HOUSE APPROPRIATIONS SUBCOMMITTEE REGARDING ACCELERATION OPTIONS IN PUBLIC SCHOOLS

HB 7059 is currently with the House Education Committee and has not moved since February 6. The proposal covers the establishment of Advanced Placement eligibility requirements similar to those currently in place for dual enrollment eligibility. The dual enrollment changes would eliminate the District Inter-institutional Articulation Agreement (IAA) section and replace it with the Dual Enrollment Articulation Agreement in s. 1007.271, F.S., Dual enrollment programs. It is also proposed that many dual enrollment provisions currently in State Board rule be transferred to statute. While the changes are not dramatically different than current practice, the consolidation of the IAA statute and the College Credit Dual Enrollment rule will clarify existing policy and provide colleges with explicit authority to limit dual enrollment on the basis of capacity. The dual enrollment provisions are not included in a Senate companion. There are numerous other bills (HB 4041, HB 7063, SB 0492, SB 1368 SB 1402) covering other aspects of HB 7059.

SB 756 BY WISE AND HB 111 BY NELSON (SIMILAR) REGARDING CAREER EDUCATION AND A CAREER-TECHNICAL HIGH SCHOOL DIPLOMA

These proposed bills would revise career and educational planning courses for middle grades promotion. The proposal requires the student and parent to agree in writing to the requirements of career diploma track, leading to a new career-technical high school diploma. Both the House and Senate bills are the same except that the Senate bill proposes using Florida's Career Clusters, and provides requirements for career technical diploma. It includes an intensive reading course or remediation in math for a student who does not meet certain academic standards and provides that a career technical diploma meets the requirements for a standard diploma for purposes of federal and state accountability.

[SB 1010](#) BY OELRICH AND [HB 331](#) BY PATRONIS (IDENTICAL) REGARDING HIGH SCHOOL GRADUATION REQUIREMENTS.

These bills propose adding financial literacy in economics for a high school graduation requirement. The bill also renames **Vocational Preparatory Instruction** to *Applied Academics Instruction*. The bill also proposes adding required content that all adult education students must complete a series of “action steps to employment.” Both Colleges and School Districts will be responsible to providing it.

[SB 368](#) BY GAETZ AND [HB 7031](#) BY HUKILL AND THE ECONOMIC AFFAIRS SUBCOMMITTEE REGARDING GROUP PURCHASING COORDINATION.

These bills previously reported have moved forward and may be poised to pass both Chambers. The proposal covers cost-savings by directing governmental bodies to make efforts to coordinate purchasing if possible to save taxpayers money. The proposal indirectly affects FCS institutions if specific costs and services can be coordinated such as building inspections, fleet management, insurance, IT and purchasing. The bill only requires that entities consult. Other provisions tucked into the bill would affect FCS institutions if a Board of Trustees fails to resolve a financial emergency. The governing board members could be found guilty of malfeasance and neglect of duty, and therefore subject to removal. The bill passed the Senate weeks ago and is poised for a vote on the floor of the House very soon.

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

PRISON PRIVATIZATION

Legislative efforts to privatize roughly 1/3rd of Florida prisons fell by the wayside this week in the Senate only to receive a reprieve by Gov. Rick Scott in an ongoing battle pitting unions, prison guards, spending skeptics and civil rights groups against Senate leadership, less-government advocates and for-profit prisons. Meanwhile, Scott signed into law new congressional district maps, which will be contested in court, just as lawmakers sent briefs to the state Supreme Court to argue that the legislative maps they passed earlier this month are constitutional.

NOT ENOUGH PRIVATE AYES TO PRIVATIZE

In a Legislature so overwhelmingly dominated by one party, in Florida's case Republicans, dramatic close votes are pretty rare, and you take them where you can get them. The Senate has seen a few coalition votes that have brought some drama into the process, on SunRail, for example, but there aren't many. So this week when Senate President Mike Haridopolos brought a bill ([SB 2038](#)) to the floor for a showdown vote on whether to privatize most of the prisons in the Southern third of the state, the Capitol was tenser than X-wing just before a riot. Backers of the bill said it was plain and simple the state needs every dollar it can find. Sen. Don Gaetz said during debate that Florida is "stacking pennies" to balance the budget.

The \$16.5 million annual minimum savings required in the contract to run the prisons would "buy a lot of textbooks," said another supporter, Sen. Mike Bennett.

But a coalition of Republicans joined Democrats in opposing it. The vote came on Tuesday and the 21-19 count against privatizing ended up being a little less dramatic than predicted only because it wasn't a tie. Opponents had said the day before they'd lined up the 20 votes needed to kill the measure. They got one more than they needed when the lone Democrat they hadn't counted on, Sen. Gary Siplin, joined the rest of his party in opposing the measure. The GOP coalition was made up of some members who have lots of corrections officers in their districts even those who wouldn't see their prisons privatized hated the idea. That brought Sens. Charlie Dean, Steve Oelrich and Greg Evers into the no camp. Some, including Dean and Oelrich, both former sheriffs, said privatizing core public safety functions just wasn't a good idea add Sen. Dennis Jones to that group.

But the opposition was led by Sens. Mike Fasano, Paula Dockery, and Jack Latvala, all of whom said they didn't really trust that the scheme was a particularly good deal for taxpayers. Fasano and Dockery, in particular, said they just didn't buy the numbers put forth by the Department of Corrections in terms of how much would likely be saved. Meanwhile, a lot of hard-working corrections officers would likely lose their jobs, or be forced to move, they said. Fasano, Dockery and Latvala, have from time-to-time been at odds with their own party, but rarely does leadership lose a vote on one of its priorities.

Haridopolos had said for a couple of weeks that it would be extremely close, and even acknowledged his side might not win on the vote. He got kudos from some in the Senate for daring to bring it up for a vote anyway. Haridopolos has often talked and frequently said this week that it's just not his style to control the agenda, that he wasn't twisting any arms. But much of the talk around the Capitol was not about how noble Haridopolos was for allowing senators to vote their beliefs publicly, even in voting against him, but why he couldn't get them to agree with him and pass one of his top priorities.

But if you think the question was sent to the hole for a year think again. Gov. Scott jumped into the matter later in the week, saying Thursday that he was disappointed the Senate didn't pass the bill, and plans to look into what opportunities he has for pushing the issue forward on his own. The Department of Corrections, which answers to Scott, does have contracting authority, and that was always something backers of the privatization idea noted that the whole legislative exercise might be moot anyway.

It's worth remembering that the Legislature tried to privatize prisons in the same 18 counties a year ago and did so, in the budget, but the courts threw out their work. Lawmakers bristled that someone would question their authority to do it. Now, the Legislature says the prisons can't be privatized and the governor may over-ride them anyway. How's that for separation of powers irony?

REDISTRICTING HEADS TO COURT:

On Friday, briefs were turned into the Supreme Court saying why the Legislature's new redistricting plans either are or aren't constitutional. The brief filing deadline came less than a day after Scott signed the Legislature's plan to redraw the state's congressional districts. That measure also is being challenged by the Florida Democratic Party in court, and a coalition of voting-rights groups said they'll likely follow suit.

The groups intend to challenge the maps under the anti-gerrymandering Fair Districts amendments, approved by voters in the 2010 elections. Those standards require lawmakers to draw the maps without regard for how they might impact incumbents or political parties. Arguments over the once-a-decade redrawing of House and Senate maps will be held on a day that only comes around every fourth year. The Florida Supreme Court announced it would hold arguments Feb. 29.

HOUSE PASSES ECONOMIC DEVELOPMENT INCENTIVES BACK TO SCHOOL

The House was busy this week, passing a series of tax breaks, freeing thousands of businesses from corporate-income taxes and putting extra money in the pockets of back-to-school shoppers. House members went along with the governor's proposal to increase the corporate-income tax exemption from \$25,000 to \$50,000, passing it as part of a broader economic-development bill.

Some Democrats continued to criticize the income-tax proposal, contending that it would primarily help large corporations and do little for small businesses. The House voted 92-22 to approve the economic-development package, which also includes new or expanded tax breaks related to agricultural packing houses, aircraft repairs and industrial machinery and equipment. A House analysis said the package eventually would eliminate about \$121 million a year in tax revenues for state and local governments.

The House voted unanimously to hold a "sales tax holiday" from Aug. 3 through Aug. 5 that would allow shoppers to avoid paying sales taxes on items such as clothing, shoes and bags that cost \$75 or less and schools supplies valued at less than \$15.

A LEANER DEPARTMENT OF HEALTH

A Senate committee this week approved a wide-ranging plan that would scale back the role of the Florida Department of Health, close the state's tuberculosis hospital and block mandatory septic-tank inspections. The 106-page plan, however, stops short of a House bill that calls for transferring public health responsibilities --- and thousands of jobs --- from the department to counties. Both bills are part of a three-year effort by lawmakers to more narrowly focus the Department of Health.

IMMUNITY OR EVASION:

The House Judiciary Committee approved a measure Thursday giving lawmakers complete immunity from civil cases dealing with their legislative duties. The approval came over complaints that the bill was an attempt to undermine legal challenges to the Legislature's redistricting proposals. Republicans painted the measure (HB 7123) as a response to a series of efforts to subpoena lawmakers in civil cases challenging legislative actions. But Democrats see the bill as an attempt to keep lawmakers from having to testify as redistricting cases begin to wind their way through the court system.

QUOTE OF THE WEEK

"USF should not and will not be singled out for cuts in their budget. Good news is that we have a bicameral Legislature." Rep. Will Weatherford, R-Wesley Chapel, in a tweet, about the push in the Senate to withhold money from the Tampa University.