

2014

LEGISLATIVE
SESSION

★
FINAL REPORT





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Throughout this document you will find highlights of appropriations and legislation that the team worked to pass into law or to defeat. FAU’s Legislative Delegation continues to become more engaged every year, and we are deeply grateful to those who assisted this year.

As a result of Florida’s improving economy and increased tax revenues, the Legislature passed a historic \$77 billion budget that includes more than \$500 million in tax cuts. State legislators allocated approximately \$4.35 billion to the State University System and continued to expand the performance funding model that was established last year.

In addition to the budget, the State University System will be impacted by the passage of several other bills. The Legislature approved a range of policy changes, from bills that provide in-state tuition rates to veterans and the children of undocumented individuals, to public records exemptions that protect research proposals and the personal contact information of animal researchers.

Florida Atlantic University continues to develop a consistent, University-wide presence in Tallahassee that has created a platform for the Institution to share its successes, engage lawmakers, and increase awareness and understanding of its legislative priorities.

The Office of Government Relations is committed to further developing the connections between our elected officials and the wonderfully talented students and faculty within the University. We greatly appreciate your assistance and support over the past year.



Go Owls!

Pamela Landi

Assistant Vice President,
Government Relations

FROM THE OFFICE OF GOVERNMENT RELATIONS

It is our pleasure to present the 2014 Legislative Session Final Report.

Each year, the Office of Government Relations produces the final report in an effort to provide our stakeholders with a comprehensive review of the Florida Legislature’s actions during the Legislative Session and their subsequent impacts on FAU and the higher education community.

2014 LEGISLATIVE SESSION EXECUTIVE BUDGET SUMMARY

★ GENERAL BUDGET

The \$77.1 billion fiscal year (FY) 2014-15 General Appropriations Act (HB 5001) allocates approximately \$4.35 billion for the State University System (SUS), which is an increase of 6.5 percent over the previous year.

★ TUITION

This year's General Appropriations Act (GAA) did not include a tuition increase for SUS institutions. Moreover, during the 2014 Session, legislation was passed that eliminates the automatic annual rate of inflation increase for undergraduate tuition and removes the ability of non-preeminent SUS institutions to apply for or collect any new tuition differential.

★ BRIGHT FUTURES

An element of the FY 2014-15 GAA that will ultimately impact students' ability to access higher education is the significant reduction in Bright Futures funding because of increasing eligibility standards. Several years ago, the Florida Legislature increased the academic eligibility requirements for Bright Futures scholarships. Over the past three years these requirements have been incrementally implemented and now require students to achieve much higher standardized test scores and GPAs. As a result, during FY 2014-15 Bright Futures will issue 128,000 scholarships totaling \$266 million, which is a reduction of 27,000 scholarships and roughly \$43 million from last year.

★ PERFORMANCE FUNDING

This year's SUS budget also includes a new \$200 million performance funding model that is based on Board of Governor's (BOG) recommendations. The performance funds are composed of: 1) \$100 million in new funding and 2) an additional \$100 million, which comes from a share of each institution's base funding (\$65 million), as well as the re-purposing of last year's performance funds (\$20 million), and this year's newly awarded gap analysis grant funds (\$15 million).

The performance metrics were imposed retroactively which resulted in FAU achieving a score that would not qualify it to receive a share of the performance funds. As a result, the Board of Governors will hold in escrow approximately 4.45 percent of FAU's base funding. However, the University has the opportunity to work through an improvement plan process with the Board of Governors for the release of the withheld funds. In June, the University submitted its plan, which was approved by the BOG. FAU will submit two progress reports to the BOG in December 2014 and May 2015. If the Board determines that the University has been making sufficient progress toward its goals, the BOG will then release a proportional share of the withheld funds.

★ CAPITAL FUNDS

The SUS received \$254.5 million for fixed capital outlay. Within that total sum, the BOG will proportionately allocate \$20 million for critical deferred maintenance (FAU will receive \$1,859,154) and \$37.6 million for regular maintenance (FAU will receive \$2,044,361). The state's developmental research (lab) schools also received \$4.7 million in millage equivalence funding that will be distributed to the six university lab schools, including FAU's Boca Raton and St. Lucie campuses.

★ FAU'S SPECIFIC BUDGET PROVISIONS

- \$2,000,000 (nonrecurring) for Harbor Branch Oceanographic Institute's Indian River Lagoon Observatory project
- \$1,050,000 (nonrecurring) for the Adams Center for Entrepreneurship's Tech Runway program
- \$1,011,807 (recurring) for FAU's Boca Raton based CARD Center (a 41 percent funding increase)
- \$537,000 (recurring) Sparsity supplement for FAU Boca Raton Lab School
- \$500,000 (nonrecurring) for FAU Bioscience Initiative's Jupiter Bioscience Gateway program

★ FAU'S SPECIFIC PROVISIO LANGUAGE

Florida Atlantic University - Research Park Office Building – Office building in adjacent FAU Research Park to support university programs, 27,000 gs.

2014 LEGISLATIVE SESSION SUMMARY OF LEGISLATIVE ISSUES

★ ACADEMIC ISSUES

TEXTBOOK AFFORDABILITY (HB 355)

In 2008, the Legislature created a new law to address textbook affordability. The new law prohibited employees of a Florida College System (FCS) institution or state university from receiving anything of value in exchange for requiring a student to purchase a specific textbook. In addition, the measure required the FCS institutions and universities to provide specific information for textbooks to students prior to the first day of classes and required the State Board of Education (SBE) and the Board of Governors (BOG) to adopt policies, procedures, and guidelines that would further efforts to minimize the cost of textbooks. HB 355 sought to expand the previously passed textbook affordability law and provide additional information to students regarding the cost of textbooks and instructional materials.

HB 355 passed the House but failed to gain adequate support in the Senate and died in the Senate Education Committee.

▶ [Click here to learn more about Textbook Affordability.](#)



TEACHER PREPARATION (HB 433)

The State Board of Education (SBE) must maintain a system for development and approval of teacher preparation programs which allows postsecondary educator preparation institutions to employ varied and innovative educator preparation techniques while being held accountable for producing graduates with the competencies and skills necessary to achieve the state's education goals. These programs also must help the state's diverse student population meet high standards for academic achievement; maintain safe, secure classroom learning environments; and sustain the state system of school improvement and education accountability. HB 433 makes changes to several areas of law related to teacher preparation and educator certification.

The effective date of HB 433 is July 1, 2014.

The Governor approved HB 433 on May 12, 2014 (Chapter No. 2014-32).

▶ [Click here for more information about Teacher Preparation.](#)



EDUCATION CONFORMING BILL (HB 5101)

Conforming bills can often serve a dual purpose in the legislative process. First, the bills are used to amend and conform impacted statutes to the funding decisions that are adopted in the General Appropriations Act. In addition, conforming bills also provide a general subject area vehicle to combine various pieces or provisions of legislation that might not have passed as standalone bills. This year's Education Conforming Bill (HB 5101) addressed several topics that directly impact Florida Atlantic University and the entire SUS system.

The effective date of HB 5101 is July 1, 2014 unless otherwise specified.

The Governor approved HB 5101 on June 2, 2014 (Chapter No. 2014-56).

▶ [Click here to learn more about Education Conforming Bill.](#)

FAU LAB SCHOOLS

FAU's Developmental Research (Lab) Schools were impacted on two fronts during the 2014 Legislative Session. The first involved the University's successful attempt to secure sparsity funding, which is provided to small school districts to assist them in meeting state required administrative costs. The second issue concerned the Millage Equivalent for Fixed Capital Outlay Projects. Lab schools receive a discretionary millage equivalent for capital outlay projects because lab schools are unable to tax their local districts. These funds assist lab schools in providing sufficient and safe educational facilities in support of the academic programs provided for the students.

▶ [Click here to learn more about FAU's Lab Schools.](#)



★ TUITION & SCHOLARSHIP ISSUES

TUITION AND FEES AT SUS INSTITUTIONS (HB 851)

On Friday, May 2, 2014, in the final hours of the Legislative Session, the Legislature considered and approved HB 851. The measure makes significant changes to several areas of higher education policy, including granting out-of-state fee waivers for undocumented students who have attended high school in Florida; eliminating the automatic annual rate of inflation increase for undergraduate tuition; eliminating the ability for non-preeminent SUS institutions to collect any new tuition differential; and amending the Florida Prepaid Tuition Program to reflect the new tuition calculations.

The effective date of HB 851 is July 1, 2014.

The Governor approved HB 851 on June 9, 2014 (Chapter No. 2014-62).

▶ [Click here to learn more about Tuition and Fees at SUS Institutions.](#)

MINORITY TEACHER EDUCATION (HB 1053)

In August 2012, Florida was one of 11 states (plus the District of Columbia) awarded federal Race to the Top grant funds. Florida will receive approximately \$700 million to implement various education reforms. As a result of Race to the Top, the Teacher and Leader Preparation Implementation Committee (TLPIC) was established to provide input, feedback and recommendations to the state in the development and implementation of performance standards, and targets for continued approval of state-approved teacher and school leadership preparation programs. During the 2013 Legislative Session, the Teacher Preparation and Accountability Bill (HB 863) was signed into law. HB 1053 enacts a number of the changes and recommendations put forward by the TLPIC as well as other organizations.

The effective date of HB 863 is July 1, 2013.

HB 1053 passed in the House but failed to gain adequate support in the Senate and died in the Senate Education Committee.

▶ [Click here to learn more about Minority Teacher Education.](#)

FLORIDA GI BILL (HB 7015)

Early in the 2014 Session, the Legislature passed and Governor Scott signed the Florida GI Bill (HB 7015) into

law. The measure combines the language from several previously introduced pieces of legislation to create one large military focused bill. The legislation makes numerous changes to Florida law relating to military and veteran policies in an attempt to establish Florida as the most military friendly state in the nation. Included among the bill's many changes is the creation of the Congressman C.W. Bill Young Veteran Tuition Waiver Program, funding for tuition scholarships and book stipends for Florida National Guard members; and increased funding for the Florida Department of Military Affairs' Educational Dollars for Duty program.

The effective date of HB 7015 is July 1, 2014.

The Governor approved HB 7015 on March 31, 2014 (Chapter No. 2014-1).

► [Click here to learn more about the Florida GI Bill.](#)

★ CAPITAL & TAX ISSUES

PUBLIC PRIVATE PARTNERSHIPS (HB 541 & HB 543)

Recently, the ability to construct, renovate and maintain educational facilities on SUS campuses has been significantly reduced as a result of declining Public Education Capital Outlay (PECO) funds and the lack of new revenue sources to pay for these projects. During the 2013 Session, in the face of a growing statewide infrastructure problem, the Legislature authorized the use of P3s to meet the infrastructure needs of local governments, school districts, special districts and state colleges. However, SUS institutions were excluded in the final version of the 2013 bill that was signed into law. During the 2014 Legislative Session, HB 541 was introduced to extend the use of P3s to state universities. In addition, HB 543 was introduced to encourage private entities to engage in P3 agreements by providing public records exemption designed to protect information contained in an unsolicited proposal from a private entity.

HB 541 and HB 543 failed to gain adequate support and died in the House Appropriations Committee.

► [Click here to learn more about Public Private Partnerships.](#)

2014 TAX PACKAGE (HB 5601)

This year, one of Governor Rick Scott's main budget priorities was to reduce taxes by approximately \$500

million. The Legislature accomplished this goal by passing several different types of tax cuts, including a \$400 million reduction in vehicle registration fees. The Legislature also passed HB 5601, which is an omnibus tax package that creates more than \$135 million (\$63.8 million on a recurring basis) in tax cuts ranging from back-to-school and hurricane preparedness shopping holidays to permanent exemptions for car seats and bicycle helmets. The legislation directly impacts SUS institutions by increasing deposits to the Public Education Capital Outlay (PECO) Fund and creating a permanent sales tax exemption for the sale of prepaid meal plans to students at higher education institutions.

The effective date of HB 5601 is July 1, 2014, unless otherwise specified.

The Governor approved HB 5601 on May 14, 2014 (Chapter No. 2014-38).

► [Click here to learn more about the 2014 Tax Package.](#)

★ MEDICAL & SOCIAL SERVICE EDUCATION ISSUES

CANCER CONTROL AND RESEARCH (HB 511)

In 1979, the Florida Cancer Control and Research Act was created along with the Cancer Control Research Advisory Council (CCRAB), which serves to advise the Legislature, Governor, and State Surgeon General on efforts to reduce the cancer burden in Florida. The CCRAB is housed within the H. Lee Moffitt Cancer Center and Research Institute. HB 511 makes several changes to the CCRAB, including reducing the membership total from 35 members to 15 members and revising the composition of the CCRAB.

The effective date of HB 511 is July 1, 2014.

The Governor approved HB 511 on June 13, 2014 (Chapter No. 2014-118).

► [Click here to learn more about Cancer Research.](#)

ALZHEIMER'S DISEASE & ALZHEIMER'S DISEASE RESEARCH GRANT ADVISORY BOARD (HB 709 & HB 711)

In 2012, the Florida Legislature created a task force within the Department of Elder Affairs (DOEA) to develop a comprehensive statewide plan to address the needs of individuals with Alzheimer's disease and their caregivers. HB 709 implements several of the recommendations

identified by that task force, including developing and implementing a Special Needs Shelter (SNS) registration program, creating the Ed and Ethel Moore Alzheimer's Disease Research Program, and establishing a performance-based funding mechanism for the state's 13 memory disorder clinics.

The effective date of HB 709 and HB 711 is July 1, 2014.

The Governor approved HB 709 on June 18, 2014 (Chapter No. 2014-163).

The Governor approved HB 711 on June 18, 2014 (Chapter No. 2014-164).

▶ [Click here to learn more about Alzheimer's Disease Research.](#)

NURSING EDUCATION (SB 1036)

The "Nurse Practice Act" governs the licensure and regulation of nurses in Florida. Nurses are licensed by the Department of Health and are regulated by the Board of Nursing. SB 1036 makes several changes to the Florida Nurse Practice Act, including requiring programs to be accredited by a nationally recognized nursing accrediting agency, increasing the limit on clinical training that can be by simulation, and revising the calculation of the required graduate passage rate for approved programs.

The effective date of SB 1036 is July 1, 2014.

The Governor approved SB 1036 on June 13, 2014 (Chapter No. 2014-92).

▶ [Click here to learn more about Nursing Education.](#)

CHILD WELFARE (SB 1666)

Florida's system for providing services to children alleged to have been abused, neglected, or abandoned is complex. SB 1666 makes numerous changes to the policies and statutes designed to protect children from abuse and neglect. The bill seeks to improve the quality of child abuse investigations conducted by the Department of Children and Families (DCF) and certain sheriff's offices. In addition, the measure increases child welfare expertise in the DCF, improves child abuse investigator qualifications, and creates a consortium of schools of social work to advise the state on child welfare policy.

The effective date of SB 1666 is July 1, 2014.

The Governor approved SB 1666 on June 23, 2014 (Chapter No. 2014-224).

▶ [Click here to learn more about Child Welfare.](#)

★ PUBLIC RECORDS ISSUES

UNIVERSITY DIRECT SUPPORT ORGANIZATIONS (HB 115)

University Direct Support Organizations (DSO) are subject to public record and public meeting laws. Current law provides that certain records held by a DSO are confidential and exempt from public records requirements. However, there is no similar public meeting exemption for DSO board meetings during which confidential and exempt records are discussed. HB 115 creates a public meeting exemption for any portion of a meeting of the board of directors of a university's direct support organization, or of a committee of the DSO, in which the board or committee discusses a proposal seeking research funding from the DSO or a plan or program for initiating or supporting research.

The effective date of HB 115 is October 1, 2014.

The Governor approved HB 115 on May 12, 2014 (Chapter No. 2014-27).

▶ [Click here to learn more about Direct Support Organizations.](#)

POSTSECONDARY EDUCATION EXECUTIVE SEARCH (HB 135)

Transparency and open government laws have existed in Florida statutes since the late 1960s. When filling a vacant high-level position, state universities and Florida College System (FCS) institutions typically establish a search committee for the purpose of locating qualified applicants who are interested in a job. However, the meetings and information associated with the search process are open to the public. The openness of the process can potentially deter an individual from applying. HB 135 would allow university searches for high-level positions to be closed until finalists are selected.

HB 135 passed the House but failed to gain adequate support in the Senate and died in the Senate Education Committee.

▶ [Click here to learn more about Postsecondary Executive Searches.](#)

PUBLIC RECORDS EXEMPTION FOR ANIMAL RESEARCHERS (HB 993)

Article 1 of the State Constitution sets forth the state's public policy regarding access to government records. The section guarantees every person a right to inspect or copy any public record of the legislative, executive, and

judicial branches of government. The Legislature, however, may provide by general law for the exemption of records from the requirements of Article I. HB 993 creates a public records exemption for the personal identifying information of an individual who is employed by, under contract with, or volunteering for a public research facility, including a state university, that conducts animal research or is engaged in activities related to animal research.

The effective date of HB 993 is July 1, 2014.

The Governor approved HB 993 on May 12, 2014 (Chapter No. 2014-37).

▶ [Click here to learn more about Public Records Exemptions for Animal Researchers.](#)

★ ADMINISTRATIVE ISSUES

2016 LEGISLATIVE SESSION (HB 9)

The Florida State Constitution prescribes the date for convening the 60-day Regular Session of the Legislature. Specifically, the Constitution provides that in odd-numbered years, the Regular Session must begin on the first Tuesday after the first Monday in March. However, the Constitution permits the Legislature to fix by law the date for convening the Regular Session in each even-numbered year. HB 9 sets the date of the 2016 Regular Session and requires the Legislature to convene on January 12, 2016.

The effective date of HB 9 is upon becoming law.

The Governor approved HB 9 on June 13, 2014 (Chapter No. 2014-106).

▶ [Click here to learn more about the 2016 Legislative Session.](#)

CHARITIES (HB 629)

In Florida, the solicitation of contributions by charitable organizations and sponsors is regulated by the Solicitation of Contributions Act (the SCA). Currently, there are more than 17,000 charitable organizations and sponsors, 367 professional fundraising consultants, and 129 professional solicitors registered in Florida. HB 629 provides increased oversight of charitable organizations and sponsors, professional fundraising consultants, and professional solicitors.

The effective date of HB 629 is July 1, 2014.

The Governor approved HB 629 on June 13, 2014 (Chapter No. 2014-122).

▶ [Click here to learn more about Charities.](#)

FLORIDA RETIREMENT SYSTEM (SB 1114 | SB 1110 | HB 7173)

Reforming the Florida Retirement System (FRS) has been one of Speaker Will Weatherford's top legislative priorities. House and Senate leaders have continued to express concerns about having to fund a Defined Benefit (DB) plan in perpetuity with state dollars. This year's General Appropriations Act (HB 5001) included a \$500 million allocation for the FRS's unfunded liability. However, critics of reform argue that the FRS is well funded (currently over 87%) and actuarially sound especially when compared to other states. Several measures were introduced during the 2014 Legislative Session that sought to reform various aspects of the FRS. However, ultimately all of the bills failed to gain enough support for final passage and died at various stages in the legislative process.

SB 1114 failed to gain adequate support and died on the Senate Calendar.

SB 1110 failed to gain adequate support and died in the Senate Government Oversight and Accountability Committee.

THB 7173 failed to gain adequate support and died on Second Reading.

▶ [Click here to learn more about the Florida Retirement System.](#)

STATE GROUP INSURANCE PROGRAMS (HB 7157)

The State Group Insurance Program (SGIP) is an optional benefit for employees, which includes health, life, dental, vision, disability and other supplemental insurance benefits. The program offers employees a choice among a health maintenance organization (HMO) plan, preferred provider plan (PPO), and a high-deductible health plan (HDHP) with a health savings account (HSA). Currently, only one benefit level is offered for each plan type and an employee's premium for the HMO and PPO are the same, even though the HMO provides greater benefits. HB 7157 sought to make changes to the SGIP by instructing the Department of Management Services to establish employee contribution rates for the 2015 plan year that will reflect the full benefit difference between the HMO and PPO plans.

HB 7157 passed the House but failed to gain adequate support in the Senate and died in the Senate Governmental Oversight and Accountability Committee.

▶ [Click here to learn more about State Group Insurance Programs.](#)