

House Bill No. 51-A

An act relating to state universities; creating s. 1001.70, F.S.; establishing the Board of Governors; providing membership and terms of office; amending s. 1001.71, F.S.; revising membership of university boards of trustees and terms of office; amending s. 1009.24, F.S.; authorizing a nonrefundable admissions deposit; creating 1012.975, F.S.; defining the terms “cash-equivalent compensation,” “public funds,” and “remuneration”; limiting the annual remuneration of a state university president to \$225,000 from public funds; providing certain limitations on benefits for state university presidents under the Florida Retirement System; authorizing a party to provide cash or cash-equivalent compensation in excess of annual limit from non-public funds; eliminating any state obligation to provide cash or cash-equivalent compensation for state university presidents under certain circumstances; providing for construction of the act in pari materia with laws enacted during the Regular Session of the Legislature; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1001.70, Florida Statutes, is created to read:

1001.70 Board of Governors.—Pursuant to s. 7(d), Art. IX of the State Constitution, the Board of Governors is established as a body corporate comprised of 17 members as follows: 14 citizen members appointed by the Governor subject to confirmation by the Senate; the Commissioner of Education; the chair of the advisory council of faculty senates or the equivalent; and the president of the Florida student association or the equivalent. The appointed members shall serve staggered 7-year terms. In order to achieve staggered terms, beginning July 1, 2003, of the initial appointments, 4 members shall serve 2-year terms, 5 members shall serve 3-year terms, and 5 members shall serve 7-year terms.

Section 2. Section 1001.71, Florida Statutes, is amended to read:

1001.71 University boards of trustees; membership.—

(1) Pursuant to s. 7(c), Art. IX of the State Constitution, each local constituent university shall be administered by a university board of trustees comprised of 13 members as follows: 6 citizen members appointed by the Governor subject to confirmation by the Senate; 5 citizen members appointed by the Board of Governors subject to confirmation by the Senate; the chair of the faculty senate or the equivalent; and the president of the student body of the university. The appointed members shall serve staggered 5-year terms. In order to achieve staggered terms, beginning July 1, 2003, of the initial appointments by the Governor, 2 members shall serve 2-year terms, 3 members shall serve 3-year terms, and 1 member shall serve a 5-year term and of the initial appointments by the Board of Governors, 2 members shall serve 2-year terms, 2 members shall serve 3-year terms, and 1 member shall

~~serve a 5-year term. University boards of trustees shall be comprised of 12 members appointed by the Governor and confirmed by the Senate in the regular legislative session immediately following his or her appointment. In addition, the student body president elected on the main campus of the university pursuant to s. 1004.26 shall serve ex officio as a voting member of his or her university board of trustees. There shall be no state residency requirement for university board members, but the Governor and the Board of Governors shall consider diversity and regional representation.~~

(2) ~~Members of the boards of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061.~~

(3) ~~The Governor may remove a trustee upon the recommendation of the State Board of Education, or for cause.~~

(4) ~~Boards of trustees' members shall be appointed for staggered 4-year terms, and may be reappointed for additional terms not to exceed 8 years of service.~~

(3)(5) ~~Each board of trustees shall select its chair and vice chair from the appointed members at its first regular meeting after July 1. The chair shall serve for 2 years and may be reselected for one additional consecutive term. The duties of the chair shall include presiding at all meetings of the board of trustees, calling special meetings of the board of trustees, and attesting to actions of the board of trustees, and notifying the Governor in writing whenever a board member fails to attend three consecutive regular board meetings in any fiscal year, which failure may be grounds for removal. The duty of the vice chair is to act as chair during the absence or disability of the chair.~~

(4)(6) ~~The university president shall serve as executive officer and corporate secretary of the board of trustees and shall be responsible to the board of trustees for all operations of the university and for setting the agenda for meetings of the board of trustees in consultation with the chair.~~

Section 3. Subsection (13) of section 1009.24, Florida Statutes, amended to read:

1009.24 State university student fees.—

(13) ~~Each university board of trustees is authorized to establish a nonrefundable admissions deposit for undergraduate, graduate, and professional degree programs in an amount not to exceed \$200. The admissions deposit shall be imposed at the time of an applicant's acceptance to the university and shall be applied toward tuition upon enrollment. In the event the applicant does not enroll in the university, the admissions deposit shall be deposited in an auxiliary account of the university and used to expand financial assistance, scholarships, and student academic and career counseling services at the university. A university board of trustees that establishes an admissions deposit pursuant to this subsection must also adopt policies that provide for the waiver of such deposit on the basis of financial hardship. The board of trustees of the University of Florida is authorized to establish an~~

admissions deposit fee for the University of Florida College of Dentistry in an amount not to exceed \$200.

Section 4. Section 1012.975, Florida Statutes, is created to read:

1012.975 Remuneration of state university presidents; limitations.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Cash-equivalent compensation” means any benefit that may be assigned an equivalent cash value.

(b) “Public funds” means funds appropriated from the General Revenue Fund, funds appropriated from state trust funds, tuition and fees, or any funds from a state university trust fund regardless of repository.

(c) “Remuneration” means salary, bonuses, and cash-equivalent compensation paid to a state university president by his or her employer for work performed, excluding health insurance benefits and retirement benefits.

(2) LIMITATION ON COMPENSATION.—Notwithstanding any other law, resolution, or rule to the contrary, a state university president may not receive more than \$225,000 in remuneration annually from public funds. Only compensation, as such term is defined in s. 121.021(22), provided to a state university president may be used in calculating benefits under chapter 121.

(3) EXCEPTIONS.—This section does not prohibit any party from providing cash or cash-equivalent compensation from funds that are not public funds to a state university president in excess of the limit in subsection (2). If a party is unable or unwilling to fulfill an obligation to provide cash or cash-equivalent compensation to a state university president as permitted under this subsection, public funds may not be used to fulfill such obligation.

Section 5. If any law that is amended by this act was also amended by a law enacted at the 2003 Regular Session of the Legislature, such laws shall be construed as if they had been enacted during the same session of the Legislature, and full effect should be given to each if that is possible.

Section 6. This act shall take effect July 1, 2003.

Approved by the Governor June 9, 2003.

Filed in Office Secretary of State June 9, 2003.