

By the Committee on Style and Drafting

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REVISION 2

A proposal to amend Section 7 of Article IX of the State Constitution to establish minimum vote thresholds for university boards of trustees and the board of governors to impose or authorize a new fee or increase an existing fee, as authorized by law; create Section 8 of Article IX of the State Constitution to specify the purposes of the State College System and to provide for the governance structure of the system; and create a new section in Article X of the State Constitution to establish the right of survivors of specified first responders and military members to death benefits.

Be It Proposed by the Constitution Revision Commission of Florida:

Section 7 of Article IX of the State Constitution is amended, and section 8 is added to that article, to read:

ARTICLE IX

EDUCATION

SECTION 7. State University System.—

(a) PURPOSES. In order to achieve excellence through teaching students, advancing research and providing public service for the benefit of Florida's citizens, their communities and economies, the people hereby establish a system of governance for the state university system of Florida.

(b) STATE UNIVERSITY SYSTEM. There shall be a single state university system comprised of all public universities. A board of trustees shall administer each public university and a board

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33 of governors shall govern the state university system.

34 (c) LOCAL BOARDS OF TRUSTEES. Each local constituent
35 university shall be administered by a board of trustees
36 consisting of thirteen members dedicated to the purposes of the
37 state university system. The board of governors shall establish
38 the powers and duties of the boards of trustees. Each board of
39 trustees shall consist of six citizen members appointed by the
40 governor and five citizen members appointed by the board of
41 governors. The appointed members shall be confirmed by the
42 senate and serve staggered terms of five years as provided by
43 law. The chair of the faculty senate, or the equivalent, and the
44 president of the student body of the university shall also be
45 members.

46 (d) STATEWIDE BOARD OF GOVERNORS. The board of governors
47 shall be a body corporate consisting of seventeen members. The
48 board shall operate, regulate, control, and be fully responsible
49 for the management of the whole university system. These
50 responsibilities shall include, but not be limited to, defining
51 the distinctive mission of each constituent university and its
52 articulation with free public schools and community colleges,
53 ensuring the well-planned coordination and operation of the
54 system, and avoiding wasteful duplication of facilities or
55 programs. The board's management shall be subject to the powers
56 of the legislature to appropriate for the expenditure of funds,
57 and the board shall account for such expenditures as provided by
58 law. The governor shall appoint to the board fourteen citizens
59 dedicated to the purposes of the state university system. The
60 appointed members shall be confirmed by the senate and serve
61 staggered terms of seven years as provided by law. The

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62 commissioner of education, the chair of the advisory council of
63 faculty senates, or the equivalent, and the president of the
64 Florida student association, or the equivalent, shall also be
65 members of the board.

66 (e) FEES. Any proposal or action of a constituent
67 university to raise, impose, or authorize any fee, as authorized
68 by law, must be approved by at least nine affirmative votes of
69 the members of the board of trustees of the constituent
70 university, if approval by the board of trustees is required by
71 general law, and at least twelve affirmative votes of the
72 members of the board of governors, if approval by the board of
73 governors is required by general law, in order to take effect. A
74 fee under this subsection shall not include tuition.

75 SECTION 8. State College System.-

76 (a) PURPOSES. In order to achieve excellence and to provide
77 access to undergraduate education to the students of this state;
78 to originate articulated pathways to a baccalaureate degree; to
79 ensure superior commitment to teaching and learning; and to
80 respond quickly and efficiently to meet the demand of
81 communities by aligning certificate and degree programs with
82 local and regional workforce needs, the people hereby establish
83 a system of governance for the state college system of Florida.

84 (b) STATE COLLEGE SYSTEM. There shall be a single state
85 college system comprised of all public community and state
86 colleges. A local board of trustees shall govern each state
87 college system institution and the state board of education
88 shall supervise the state college system.

89 (c) LOCAL BOARDS OF TRUSTEES. Each state college system
90 institution shall be governed by a local board of trustees

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91 dedicated to the purposes of the state college system. A member
92 of a board of trustees must be a resident of the service
93 delivery area of the college. The powers and duties of the
94 boards of trustees shall be provided by law. Each member shall
95 be appointed by the governor to staggered 4-year terms, subject
96 to confirmation by the senate.

97 (d) ROLE OF THE STATE BOARD OF EDUCATION. The state board
98 of education shall supervise the state college system as
99 provided by law.

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101 A new section is added to Article X of the State
102 Constitution to read:

103 ARTICLE X

104 MISCELLANEOUS

105 Death benefits for survivors of first responders and
106 military members.-

107 (a) A death benefit shall be paid by the employing agency
108 when a firefighter; a paramedic; an emergency medical
109 technician; a law enforcement, correctional, or correctional
110 probation officer; or a member of the Florida National Guard,
111 while engaged in the performance of their official duties, is:

112 (1) Accidentally killed or receives accidental bodily
113 injury which results in the loss of the individual's life,
114 provided that such killing is not the result of suicide and that
115 such bodily injury is not intentionally self-inflicted; or

116 (2) Unlawfully and intentionally killed or dies as a result
117 of such unlawful and intentional act or is killed during active
118 duty.

119 (b) A death benefit shall be paid by funds from general

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120 revenue when an active duty member of the United States Armed
121 Forces is:

122 (1) Accidentally killed or receives accidental bodily
123 injury which results in the loss of the individual's life,
124 provided that such killing is not the result of suicide and that
125 such bodily injury is not intentionally self-inflicted; or

126 (2) Unlawfully and intentionally killed or dies as a result
127 of such unlawful and intentional act or is killed during active
128 duty.

129 (c) If a firefighter; a paramedic; an emergency medical
130 technician; a law enforcement, correctional, or correctional
131 probation officer; or an active duty member of the Florida
132 National Guard or United States Armed Forces is accidentally
133 killed as specified in paragraphs (a)(1) and (b)(1), or
134 unlawfully and intentionally killed as specified in paragraphs
135 (a)(2) and (b)(2), the state shall waive certain educational
136 expenses that the child or spouse of the deceased first
137 responder or military member incurs while obtaining a career
138 certificate, an undergraduate education, or a postgraduate
139 education.

140 (d) The legislature shall implement this section by general
141 law.

142 (e) This section shall take effect on July 1, 2019.

144 BE IT FURTHER PROPOSED that the following statement be placed on
145 the ballot:

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147 CONSTITUTIONAL AMENDMENT

148 ARTICLE IX, SECTIONS 7, 8

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ARTICLE X, NEW SECTION

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FIRST RESPONDER AND MILITARY MEMBER SURVIVOR BENEFITS;

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PUBLIC COLLEGES AND UNIVERSITIES.—Creates mandatory payment of

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education and compensation benefits to qualifying survivors of

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certain first responders and military members who die performing

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official duties. Requires supermajority votes by university

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trustees and state university system board of governors to raise

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or impose all legislatively authorized fees if law requires

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approval by those bodies. Establishes existing state college

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system as constitutional entity; provides governance structure.