

By Representative Waters

1 A bill to be entitled
 2 An act relating to state universities; amending
 3 s. 240.209, F.S.; increasing certain student
 4 fees; amending s. 240.235, F.S.; requiring the
 5 approval of certain student fee modifications,
 6 rather than just increases, by certain
 7 committees; changing language to conform with
 8 other provisions of the bill; creating s.
 9 240.236, F.S.; providing for the establishment
 10 of student governments at each state university
 11 with the authority to establish certain
 12 procedures and to provide for the election or
 13 removal of student government officers;
 14 providing powers and duties; providing for
 15 suspension or removal from office under certain
 16 circumstances; amending s. 240.295, F.S.;
 17 requiring the approval of projects to be funded
 18 from Capital Improvement Trust Fund fees or
 19 building fees by committees partially appointed
 20 by the student government president; amending
 21 s. 240.531, F.S.; conforming language to other
 22 provisions of the act and Florida law;
 23 repealing s. 240.136, F.S., relating to the
 24 removal and suspension of student government
 25 officers; providing an effective date.

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

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 29 Section 1. Paragraph (g) of subsection (3) of section
 30 240.209, Florida Statutes, is amended to read:

31 240.209 Board of Regents; powers and duties.--

1 (3) The board shall:
2 (g) Recommend to the Legislature any proposed changes
3 in the Capital Improvement Trust Fund and building fees. The
4 Capital Improvement Trust Fund fee is established as \$2.94
5 ~~\$2.44~~ per credit hour per semester. The building fee is
6 established as \$2.82~~\$2.32~~ per credit hour per semester.

7 Section 2. Subsection (1) of section 240.235, Florida
8 Statutes, is amended to read:

9 240.235 Fees.--

10 (1) Each university may ~~is authorized to~~ establish
11 separate activity and service, health, and athletic fees.
12 When duly established, these ~~the~~ fees shall be collected as
13 component parts of the registration and tuition fees and shall
14 be retained by the university and paid into the separate
15 activity and service, health, and athletic funds.

16 (a)1. Each university president shall establish a
17 student activity and service fee on the main campus of the
18 university. The university president may also establish a
19 student activity and service fee on any branch campus or
20 center. Any subsequent modification ~~increase~~ in the activity
21 and service fee must be recommended by an activity and service
22 fee committee, at least one-half of whom are students
23 appointed by the student body president. The remainder of the
24 committee shall be appointed by the university president. A
25 chairperson, appointed jointly by the university president and
26 the student body president, may ~~shall~~ vote only in the case of
27 a tie. The recommendations of the committee shall take effect
28 only after approval by the university president, after
29 consultation with the student body president, with final
30 approval by the Board of Regents. An increase in the activity
31 and service fee may occur only once each fiscal year and must

1 be implemented beginning with the fall term. The Board of
2 Regents is responsible for promulgating the rules and
3 timetables necessary to implement this fee.

4 2. The student activity and service fees shall be
5 expended for lawful purposes to benefit the student body in
6 general. These purposes ~~This~~ shall include, but are ~~shall~~ not
7 ~~be~~ limited to, student publications and grants to duly
8 recognized student organizations, the membership of which is
9 open to all students at the university without regard to race,
10 sex, or religion. The fund may not benefit activities for
11 which an admission fee is charged to students, except for
12 student-government-sponsored
13 ~~student-government-association-sponsored~~ concerts. The
14 allocation and expenditure of the fund shall be determined by
15 the student government ~~association~~ of the university, except
16 that the president of the university may veto any line item or
17 portion thereof within the budget when submitted by the
18 student government ~~association~~ legislative body. The
19 university president shall have 15 school days from the date
20 of presentation of the budget to act on the allocation and
21 expenditure recommendations, which shall be deemed approved if
22 no action is taken within the 15 school days. If any line item
23 or portion thereof within the budget is vetoed, the student
24 government ~~association~~ legislative body shall within 15 school
25 days make new budget recommendations for expenditure of the
26 vetoed portion of the fund. If the university president
27 vetoes any line item or portion thereof within the new budget
28 revisions, the university president may reallocate by line
29 item that vetoed portion to bond obligations guaranteed by
30 activity and service fees. Unexpended funds and undisbursed
31 funds remaining at the end of a fiscal year shall be carried

1 over and remain in the student activity and service fund and
2 be available for allocation and expenditure during the next
3 fiscal year.

4 (b) Each university president shall establish a
5 student health fee on the main campus of the university. The
6 university president may also establish a student health fee
7 on any branch campus or center. Any subsequent modification
8 ~~increase~~ in the health fee must be recommended by a health
9 committee, at least one-half of whom are students appointed by
10 the student body president. The remainder of the committee
11 shall be appointed by the university president. A
12 chairperson, appointed jointly by the university president and
13 the student body president, may ~~shall~~ vote only in the case of
14 a tie. The recommendations of the committee shall take effect
15 only after approval by the university president, after
16 consultation with the student body president, with final
17 approval by the Board of Regents. An increase in the health
18 fee may occur only once each fiscal year and must be
19 implemented beginning with the fall term. The Board of Regents
20 is responsible for promulgating the rules and timetables
21 necessary to implement this fee.

22 (c) Each university president shall establish a
23 separate athletic fee on the main campus of the university.
24 The university president may also establish a separate
25 athletic fee on any branch campus or center. The initial
26 aggregate athletic fee at each university shall be equal to,
27 but may be no greater than, the 1982-1983 per-credit-hour
28 activity and service fee contributed to intercollegiate
29 athletics, including women's athletics, as provided by s.
30 240.533. Concurrently with the establishment of the athletic
31 fee, the activity and service fee shall experience a one-time

1 reduction equal to the initial aggregate athletic fee. Any
2 subsequent modification ~~increase~~ in the athletic fee must be
3 recommended by an athletic fee committee, at least one-half of
4 whom are students appointed by the student body president.
5 The remainder of the committee shall be appointed by the
6 university president. A chairperson, appointed jointly by the
7 university president and the student body president, may ~~shall~~
8 vote only in the case of a tie. The recommendations of the
9 committee shall take effect only after approval by the
10 university president, after consultation with the student body
11 president, with final approval by the Board of Regents. An
12 increase in the athletic fee may occur only once each fiscal
13 year and must be implemented beginning with the fall term. The
14 Board of Regents is responsible for promulgating the rules and
15 timetables necessary to implement this fee.

16 Section 3. Section 240.236, Florida Statutes, is
17 created to read:

18 240.236 University student governments.--

19 (1) There is created within each state university a
20 student government that shall be organized and maintained by
21 students as the official representatives of the student body.
22 Each student government shall be composed of at least a
23 student body president and a student legislative body. Interim
24 vacancies may be filled in a manner other than election as
25 prescribed by the student government. Each student government
26 may adopt internal procedures governing:

27 (a) The operation and administration of the student
28 government.

29 (b) The election, appointment, removal, and discipline
30 of officers of the student government.

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1 (c) The execution of all other duties as prescribed to
2 the student government by law.

3 (2) Any elected officer of the student government of a
4 state university may be removed from office by the majority
5 vote of students participating in a referendum held pursuant
6 to the provisions of this section. The student government
7 shall develop a procedure for students to petition for a
8 referendum to remove an elected officer of the student
9 government from office. The grounds for removal of a student
10 government officer by petition must be expressly contained in
11 the petition and are limited to the following: malfeasance,
12 misfeasance, neglect of duty, incompetence, permanent
13 inability to perform official duties, or conviction of a
14 felony. The referendum must be held no more than 60 days after
15 the filing of the petition.

16 (3) The student government shall develop procedures
17 providing for the suspension and removal of an elected student
18 government officer following the conviction of that officer of
19 a felony.

20 (4) Each student government is a part of the
21 university at which it is established. The internal procedures
22 adopted by the student government under this section are
23 subject to final approval by the university president.

24 Section 4. Subsection (3) of section 240.295, Florida
25 Statutes, is amended to read:

26 240.295 State University System; authorization for
27 fixed capital outlay projects.--

28 (3) Any projects funded from Capital Improvement Trust
29 Fund fees or building fees must be recommended by a university
30 wide committee, at least one-half of the membership of which
31 are students appointed by the student body president. The

1 remainder of the committee shall be appointed by the
2 university president. A chairperson, appointed jointly by the
3 university president and the student body president, may vote
4 only in the case of a tie. The recommendations of the
5 committee shall be submitted to the Board of Regents for
6 approval only upon approval by the university president, after
7 consultation with the student body president.~~Other than those~~
8 ~~projects currently authorized, no project proposed by a~~
9 ~~university which is to be funded from Capital Improvement~~
10 ~~Trust Fund fees or building fees shall be submitted to the~~
11 ~~Board of Regents for approval without prior consultation with~~
12 ~~the student government association of that university. The~~
13 ~~Board of Regents shall promulgate rules which are consistent~~
14 ~~with this requirement.~~

15 Section 5. Subsections (1), (2), and (4) of section
16 240.531, Florida Statutes, are amended to read:

17 240.531 Establishment of educational research centers
18 for child development.--

19 (1) Upon approval of the university president, the
20 student government ~~association~~ of any university within the
21 State University System may establish an educational research
22 center for child development in accordance with the provisions
23 of this section. Each such center shall be a child day care
24 center established to provide care for the children of
25 students, both graduate and undergraduate, faculty, and other
26 staff and employees of the university and to provide an
27 opportunity for interested schools or departments of the
28 university to conduct educational research programs and
29 establish internship programs within such centers. Whenever
30 possible, such center shall be located on the campus of the
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1 university. There shall be a director of each center,
2 selected by the board of directors of the center.

3 (2) There shall be a board of directors for each
4 educational research center for child development, consisting
5 of the president of the university or his or her designee, the
6 student body ~~government~~ president or his or her designee, the
7 chair of each department participating in the center or his or
8 her designee, and one parent for each 50 children enrolled in
9 the center, elected by the parents of children enrolled in the
10 center. The director of the center shall be an ex officio,
11 nonvoting member of the board. The board shall establish
12 local policies and perform local oversight and operational
13 guidance for the center.

14 (4) The Board of Regents shall adopt ~~is authorized and~~
15 ~~directed to promulgate~~ rules for the establishment, operation,
16 and supervision of educational research centers for child
17 development. These ~~Such~~ rules shall include, but are ~~need~~ not
18 ~~be~~ limited to, + a defined method of establishment of and
19 participation in the operation of centers by the appropriate
20 student governments, ~~government associations,~~ guidelines for
21 the establishment of an intern program in each center, + and
22 guidelines for the receipt and monitoring of funds from grants
23 and other sources of funds consistent with existing laws.

24 Section 6. Section 240.136, Florida Statutes, is
25 repealed.

26 Section 7. This act shall take effect July 1, 2001.
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HOUSE SUMMARY

Increases the amount of Capital Improvement Trust Fund fees and building fees to be paid by students at state universities. Requires the approval of any modification of student service, activity, health, or athletic fees, regardless of whether the modification is an increase in the fee.

Requires the creation of a student government at each state university with an elected legislative body, an elected student body president, and such other elected officers as may be provided by the student government. Permits the filling of vacancies by methods other than election. Authorizes each student government, subject to final approval by the university president, to establish its own procedures and provide for the duties of its officers. Requires each student government to provide for a method of removing officers by petition and referendum on specific grounds and for the suspension and removal of a student government officer convicted of a felony.

Requires that each project to be funded at a state university from Capital Improvement Trust Fund fees or building fees must be recommended by a committee comprised of both appointees of the student body president and the university president, with the student body president appointing at least half of the members and the student body president and the university president jointly appointing the chairperson. Requires the university president to consult with the student body president prior to approving the committee's recommendations.

Repeals existing law governing the removal of student government officers by petition and referendum, which is replaced by other provisions of the act.