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A bill to be entitled

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 nonpublic 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



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31 chair of the advisory council of faculty senates or the
32 equivalent; and the president of the Florida student association
33 or the equivalent. The appointed members shall serve staggered
34 7-year terms. In order to achieve staggered terms, beginning
35 July 1, 2003, of the initial appointments, 4 members shall serve
36 2-year terms, 5 members shall serve 3-year terms, and 5 members
37 shall serve 7-year terms.

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

40 1001.71 University boards of trustees; membership.--

41 (1) Pursuant to s. 7(c), Art. IX of the State
42 Constitution, each local constituent university shall be
43 administered by a university board of trustees comprised of 13
44 members as follows: 6 citizen members appointed by the Governor
45 subject to confirmation by the Senate; 5 citizen members
46 appointed by the Board of Governors subject to confirmation by
47 the Senate; the chair of the faculty senate or the equivalent;
48 and the president of the student body of the university. The
49 appointed members shall serve staggered 5-year terms. In order
50 to achieve staggered terms, beginning July 1, 2003, of the
51 initial appointments by the Governor, 2 members shall serve 2-
52 year terms, 3 members shall serve 3-year terms, and 1 member
53 shall serve a 5-year term and of the initial appointments by the
54 Board of Governors, 2 members shall serve 2-year terms, 2
55 members shall serve 3-year terms, and 1 member shall serve a 5-
56 year term. ~~University boards of trustees shall be comprised of~~
57 ~~12 members appointed by the Governor and confirmed by the Senate~~
58 ~~in the regular legislative session immediately following his or~~
59 ~~her appointment. In addition, the student body president elected~~
60 on the main campus of the university pursuant to s. 1004.26



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61 ~~shall serve ex officio as a voting member of his or her~~
62 ~~university board of trustees.~~ There shall be no state residency
63 requirement for university board members, but the Governor and
64 the Board of Governors shall consider diversity and regional
65 representation.

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

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

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

74 (3)~~(5)~~ Each board of trustees shall select its chair and
75 vice chair from the appointed members at its first regular
76 meeting after July 1. The chair shall serve for 2 years and may
77 be reselected for one additional consecutive term. The duties of
78 the chair shall include presiding at all meetings of the board
79 of trustees, calling special meetings of the board of trustees,
80 and attesting to actions of the board of trustees, ~~and notifying~~
81 ~~the Governor in writing whenever a board member fails to attend~~
82 ~~three consecutive regular board meetings in any fiscal year,~~
83 ~~which failure may be grounds for removal.~~ The duty of the vice
84 chair is to act as chair during the absence or disability of the
85 chair.

86 (4)~~(6)~~ The university president shall serve as executive
87 officer and corporate secretary of the board of trustees and
88 shall be responsible to the board of trustees for all operations
89 of the university and for setting the agenda for meetings of the
90 board of trustees in consultation with the chair.



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

93 1009.24 State university student fees.--

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

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

113 1012.975 Remuneration of state university presidents;
114 limitations.--

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

116 (a) "Cash-equivalent compensation" means any benefit that
117 may be assigned an equivalent cash value.

118 (b) "Public funds" means funds appropriated from the
119 General Revenue Fund, funds appropriated from state trust funds,
120 tuition and fees, or any funds from a state university trust



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121 fund regardless of repository.

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

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

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

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

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