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REVISION 2

A proposal to revise the State Constitution by the Constitution
Revision Commission of Florida.

A proposed revision relating to higher education;
amending 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; creating
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 creating 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

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30 service for the benefit of Florida's citizens, their communities
31 and economies, the people hereby establish a system of
32 governance for the state university system of Florida.

33 (b) STATE UNIVERSITY SYSTEM. There shall be a single state
34 university system comprised of all public universities. A board
35 of trustees shall administer each public university and a board
36 of governors shall govern the state university system.

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

49 (d) STATEWIDE BOARD OF GOVERNORS. The board of governors
50 shall be a body corporate consisting of seventeen members. The
51 board shall operate, regulate, control, and be fully responsible
52 for the management of the whole university system. These
53 responsibilities shall include, but not be limited to, defining
54 the distinctive mission of each constituent university and its
55 articulation with free public schools and community colleges,
56 ensuring the well-planned coordination and operation of the
57 system, and avoiding wasteful duplication of facilities or
58 programs. The board's management shall be subject to the powers

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59 of the legislature to appropriate for the expenditure of funds,
60 and the board shall account for such expenditures as provided by
61 law. The governor shall appoint to the board fourteen citizens
62 dedicated to the purposes of the state university system. The
63 appointed members shall be confirmed by the senate and serve
64 staggered terms of seven years as provided by law. The
65 commissioner of education, the chair of the advisory council of
66 faculty senates, or the equivalent, and the president of the
67 Florida student association, or the equivalent, shall also be
68 members of the board.

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

78 SECTION 8. State College System.—

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

87 (b) STATE COLLEGE SYSTEM. There shall be a single state

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88 college system comprised of all public community and state
89 colleges. A local board of trustees shall govern each state
90 college system institution and the state board of education
91 shall supervise the state college system.

92 (c) LOCAL BOARDS OF TRUSTEES. Each state college system
93 institution shall be governed by a local board of trustees
94 dedicated to the purposes of the state college system. A member
95 of a board of trustees must be a resident of the service
96 delivery area of the college. The powers and duties of the
97 boards of trustees shall be provided by law. Each member shall
98 be appointed by the governor to staggered 4-year terms, subject
99 to confirmation by the senate.

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

103
104 A new section is added to Article X of the State
105 Constitution to read:

106 ARTICLE X

107 MISCELLANEOUS

108 Death benefits for survivors of first responders and
109 military members.-

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

115 (1) Accidentally killed or receives accidental bodily
116 injury which results in the loss of the individual's life,

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117 provided that such killing is not the result of suicide and that
118 such bodily injury is not intentionally self-inflicted; or

119 (2) Unlawfully and intentionally killed or dies as a result
120 of such unlawful and intentional act or is killed during active
121 duty.

122 (b) A death benefit shall be paid by funds from general
123 revenue when an active duty member of the United States Armed
124 Forces is:

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

129 (2) Unlawfully and intentionally killed or dies as a result
130 of such unlawful and intentional act or is killed during active
131 duty.

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

143 (d) An eligible first responder must have been working for
144 the State of Florida or any of its political subdivisions or
145 agencies at the time of death. An eligible military member must

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146 have been a resident of this state or his or her duty post must
147 have been within this state at the time of death.

148 (e) The legislature shall implement this section by general
149 law.

150 (f) This section shall take effect on July 1, 2019.

151
152 BE IT FURTHER PROPOSED that the following statement be placed on
153 the ballot:

154
155 CONSTITUTIONAL AMENDMENT
156 ARTICLE IX, SECTIONS 7, 8
157 ARTICLE X, NEW SECTION

158 FIRST RESPONDER AND MILITARY MEMBER SURVIVOR BENEFITS;
159 PUBLIC COLLEGES AND UNIVERSITIES.—Grants mandatory payment of
160 death benefits and waiver of certain educational expenses to
161 qualifying survivors of certain first responders and military
162 members who die performing official duties. Requires
163 supermajority votes by university trustees and state university
164 system board of governors to raise or impose all legislatively
165 authorized fees if law requires approval by those bodies.
166 Establishes existing state college system as constitutional
167 entity; provides governance structure.