

GRay Matters



It's not always black and white.



2020 Session: Week 8

3/9/20

At the beginning of the week, the Legislative Session seemed destined to go into overtime. During a Senate floor session, Senate Budget Chief **Rob Bradley** was the first to state that *Sine Die* would come after March 13. House Speaker **José Oliva** didn't mince words, saying an extension was "inevitable." Yet, the House and Senate released allocations on Friday, and all of the conference committees met at least once (some met twice) on Saturday, and continued to meet on Sunday. Pursuant to the published timeline, the House and Senate will "bump" outstanding issues to the overall appropriation chairs Monday at 1 p.m. Thereafter, the final "bumps" will go to the presiding officers.

It isn't clear how long of an extension would be needed.

Oliva didn't speculate. Senate President **Bill Galvano** said it may be a matter of hours, similar to the way it played out in the 2019 Legislative Session. Governor **Ron DeSantis** floated the possibility it could be days.

He told lawmakers not to rush it by adhering to an "artificial timeline," adding that if it takes extra time to hammer out the 2020-21 state budget "that's not the end of the world."

The extra innings stemmed from significant differences between the House and Senate spending plans. The two chambers are more than \$1 billion apart, with education and the environment being the major sticking points.

The Florida House of Representatives



- A bill that would require public schools to install panic alarm systems was rewritten to remove a requirement that a single, uniform system be installed in all schools. The rewrite came a week after the Senate version was itself amended to add the statewide requirement.
- An amendment setting a 10 percent cap on THC for medical marijuana prescribed to patients under 21 was added on to a House health care bill. The idea has Oliva's backing, though similar proposals failed to gain traction in the Senate. That could signal a potential bargaining chip as the Legislature heads into budget negotiations.

Florida Senate

— Senator **Aaron Bean** said the chamber is considering adding a “super line” to the health care budget to give the Florida Department of Health more agility in responding to public health emergencies. His comments came soon after the first cases of COVID-19 were confirmed in Florida.

— The chamber voted to repeal the “Best and Brightest” teacher bonus program. Ending the bonus system frees up \$300 million in the budget, about half of the money needed to fund the Senate’s teacher pay raise plan.



Bill of the Week

A pair of bills moving through the House and Senate would make numerous changes to the state’s higher education system.

Much attention has been paid to the intellectual diversity survey requirement in HB 613, which polls students and faculty at state colleges and university to gauge a campus’ political leanings.

However, the bill would also change the process colleges use to contract with outside companies to build, renovate and repair facilities.

The bill would roll back a requirement that an institution’s board of trustees follow the “Consultants’ Competitive Negotiation Act,” which lays out the bidding process for government entities to hire certain professionals, including architects and engineers. Currently the rules apply to all projects with a price tag of \$50,000 or more.

The change would allow university boards of trustees to consider other factors, including price, in procuring those services. School boards and state colleges would also be permitted to modify their construction procurement rules, which is currently prohibited.

SB 72 includes changes to a different set of procurement rules. The bill would modify which colleges and universities state agencies could contract with for projects costing more than \$35,000 but less than \$65,000.

Under current law, only institutions that are based in Florida and accredited by the Southern Association of Colleges and Schools — the accrediting body for all of Florida’s public universities as well as several dozen private institutions — are eligible for such contracts.

The Senate bill would add in schools accredited by the Middle States Commission on Higher Education (MSCHE). There are currently no Florida-based MSCHE schools, though the bill would also allow schools that “operate” in Florida to land state contracts.

HB 613 and SB 72 are awaiting floor votes.

Federal Spotlight

GrayRobinson’s Washington, DC office releases a newsletter each week entitled **The Golden Apple**, reporting on the “latest discord on Capitol Hill.” This week’s newsletter discusses the COVID-19 outbreak.

Congress can move fast when it wants to. The House and Senate approved \$8.3 billion in funding this week to support the federal government’s response to the COVID-19 outbreak, and the President signed that bill today. The package includes \$826 million to support development and review of vaccines and treatments; \$300 million to purchase vaccines and treatments once they’re approved; \$950 million for states and localities to respond; and \$3.1 billion for medical supplies, including expanding the [Strategic National Stockpile](#). Testing is a priority, as the CDC expanded its [criteria for testing](#) and Vice

President Pence, who's heading the government's response, promised that more than a million test kits will be distributed around the country.

The SEC [announced Wednesday](#) that publicly traded companies affected by the outbreak will have an additional 45 days to file certain disclosure forms that would otherwise be due between March 1 and April 30. The federal banking agencies have [postponed the National Interagency Community Reinvestment Conference](#) scheduled for next week in Denver.

Read **The Golden Apple** in its entirety [here](#).

Client Spotlight



Birdsong Housing Partners **Steve Auger, CEO**

My role at Birdsong entails: Birdsong is a developer, builder and owner of multi-family affordable rental housing. As CEO, I oversee all aspects of our business and work with our partners to provide high quality and much-needed affordable housing.

Birdsong can help you: Our unique experience with state and federal affordable housing resources enables us to assist local governments and others with strategies for the development of affordable housing.

Something you wish people knew about your job or Birdsong that might not be obvious: The state and federal affordable housing finance programs primarily utilized by our company are proven and successful examples of public private partnerships – government incentives that leverage private sector capital and knowledge to accomplish important public policy objectives.

What excites you about going to work each day: The ever-changing landscape of affordable housing provision gives me the opportunity to learn and grow while working to solve problems and address critical needs.

Looking Ahead

The House Rules Committee is scheduled to meet Monday. It's the only scheduled committee meeting of the week for either chamber. Both the House and Senate have floor sessions scheduled Monday through Friday, with a possible extension into the weekend to wrap up the 2020 Legislative Session.

The GrayRobinson Team

Doyle Bartlett | Dean Cannon | Chris Carmody | Larry Cretul* | Chris Dawson
Katie Flury* | Charlie Gray | Keenan Hale* | Rheb Harbison*
John Harris* | Mike Huey | Ty Jackson | George Levesque | Jessica Love*
Chris McCannell* | Kim McDougal* | Greg Mesack* | Kirk Pepper* | Joseph Salzverg
Todd Steibly* | Robert Stuart* | Jason Unger

* Denotes non-attorney professional



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