

NO. 7
CONSTITUTIONAL REVISION
ARTICLE IX, SECTIONS 7 AND 8
ARTICLE X, NEW SECTION

BALLOT TITLE:

First Responder and Military Member Survivor Benefits; Public Colleges and Universities

BALLOT SUMMARY:

Grants mandatory payment of death benefits and waiver of certain educational expenses to qualifying survivors of certain first responders and military members who die performing official duties. Requires supermajority votes by university trustees and state university system board of governors to raise or impose all legislatively authorized fees if law requires approval by those bodies. Establishes existing state college system as constitutional entity; provides governance structure.

FULL TEXT:

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 of governors shall govern the state university system.

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

(d) **STATEWIDE BOARD OF GOVERNORS.** The board of governors shall be a body corporate consisting of seventeen members. The board shall operate, regulate, control, and be fully responsible for the management of the whole university system. These responsibilities shall include, but not be limited to, defining the distinctive mission of each constituent university and its articulation with free public schools and community colleges, ensuring the well-planned coordination and operation of the system, and avoiding wasteful duplication of facilities or programs. The board's management shall be subject to the powers of the legislature to appropriate for the expenditure of funds, and the board shall account for such expenditures as provided by law. The governor

shall appoint to the board fourteen citizens dedicated to the purposes of the state university system. The appointed members shall be confirmed by the senate and serve staggered terms of seven years as provided by law. The commissioner of education, the chair of the advisory council of faculty senates, or the equivalent, and the president of the Florida student association, or the equivalent, shall also be members of the board.

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

SECTION 8. State College System.—

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

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

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

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

ARTICLE X MISCELLANEOUS

Death benefits for survivors of first responders and military members.—

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

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

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

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

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

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

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

(d) An eligible first responder must have been working for the State of Florida or any of its political subdivisions or agencies at the time of death. An eligible military member must have been a resident of this state or his or her duty post must have been within this state at the time of death.

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

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