

## THIS WEEK IN THE FLORIDA SENATE FEBRUARY 6 - 10, 2017

### A Solution to End the Pollution Legislation Passes First Senate Committee

This week, the Senate Committee on Environmental Preservation and Conservation passed Senate Bill 10, Water Resources, which authorizes the use of bond proceeds to acquire approximately 60,000 acres of land and build a reservoir near Lake Okeechobee to reduce harmful releases to the estuaries. A reservoir of this size is expected to hold 120 billion gallons of water, which is approximately as much water as was released from Lake Okeechobee into the St. Lucie Estuary between January and May of 2016.



**TOXIC BLUE GREEN ALGAE IS DANGEROUS!**

**TOXIC ALGAE CAN CAUSE RASHES, VOMITING, AND STOMACH ISSUES. LONG TERM EFFECTS INCLUDE LIVER AND KIDNEY DAMAGE AND POSSIBLE NERVOUS SYSTEM DAMAGE.**

**RESIDENTS ARE WARNED TO KEEP PETS AWAY FROM WATERWAYS WHERE THEY MIGHT BE TEMPTED TO DRINK. DEAD FISH ARE OFTEN SEEN FLOATING UP TO THE SURFACE AND BLUE GREEN ALGAE IS EVEN SUSPECTED IN THE DEATH OF A MANATEE.**

**TOXIC ALGAE DOESN'T JUST KILL FISH. IT IMPACTS THEIR HABITATS AND FOOD CHAINS AS IT KILLS SEA GRASS AND SMALL CREATURES LIKE SHRIMP AND CRABS. ITS IMPACT IS FELT MUCH LONGER THAN ITS BLOOM SEASON.**

**IN AFFECTED AREAS, RESIDENTS AND VISITORS ARE WARNED TO STAY OUT OF THE WATER. SWIMMING, BOATING AND FISHING CAN RESULT IN A HOSPITAL VISIT. DECREASED TOURISM AND RECREATIONAL SPENDING DOESN'T JUST CRIPPLE AREA BUSINESSES, BUT RESULTS IN DECREASED TAX REVENUE, IMPACTING EVERY RESIDENT IN FLORIDA.**

**YOU DON'T EVEN HAVE TO DRINK THE WATER TO GET SICK**  
"Exposure can happen through unintentionally swallowing lake or river water, breathing water spray or coming into direct contact with the blooms," warns the Florida Dept. of Health.

**SUPPORT FLORIDA SENATE BILL 10**

The damaging releases from Lake Okeechobee into the Caloosahatchee and St. Lucie Estuaries must end. The algae blooms created when these releases meet the salt water are having a significant impact on tourism, fishing, and the economy that is not only a problem for the communities impacted, but for the entire state.

As result of the high volume releases, coastal communities experienced enormous harmful algal blooms with devastating impacts not only to the ecology of local waterways, but also to residents, fishermen, and local businesses. The extent and severity of the blooms resulted in Governor Scott declaring a state of emergency in four Florida counties.

Current projects planned and underway are necessary and must be continued, but as responsible stewards of our environment, we

must do more. Algal blooms will continue to occur unless high volume releases from Lake Okeechobee are ended, and pollution in the lake basin is abated.

We must make every effort to address this problem, and a storage reservoir near Lake Okeechobee is a critical piece of the puzzle. There is a solution to end the pollution in Senate Bill 10, in that it provides a clear plan to address this plague on our communities in a manner that respects the interests of the agricultural community and private landowners.



## College Competitiveness Legislation Passes First Senate Committee

The Senate Committee on Education passed Senate Bill 374, the College Competitiveness Act, the third component of the Senate's Florida Excellence in Higher Education agenda. Senate Bill 374 reinstates the State Board of Community Colleges as the coordinating board of the Florida Community College System, independent of the State Board of Education and the Board of Governors of the State University System, to oversee the local community college boards of trustees.

The bill also clarifies that providing lower-level undergraduate instruction and awarding Associate in Arts degrees, which transfer to a state university, are responsibilities under the primary mission of community colleges. The legislation further clarifies the mission of technical centers is to promote advances and innovations in specific workforce preparation and economic development.

Additionally, Senate Bill 374 expands successful 2+2 college-to-university articulation programs, by requiring every college to implement, by no later than the 2018 academic year, a minimum of one 2+2 pathway agreement with at least one state university partner.



## Senate Advances Excellence in Higher Education Legislation

Senate Bill 2, the Florida Excellence in Higher Education Act, and Senate Bill 4, Faculty Recruitment, both passed the Senate Appropriations Subcommittee on Higher Education. Senate Bill 2, the Florida Excellence in Higher Education Act, promotes on-time graduation by expanding student financial assistance and support, establishing tuition and fee incentives, streamlining 2+2 articulation, and strengthening mechanisms that keep colleges and universities accountable to Florida taxpayers.



Senate Bill 2 reinstates the highest Bright Futures Scholarships Program Award (Florida Academic Scholar), expands the Benacquisto Scholar Program, and revises the 1<sup>st</sup> Generation Matching Grant Program. This legislation also requires universities to implement a block tuition policy.

Senate Bill 4, Faculty Recruitment, expands policy and funding tools universities can

leverage to recruit and retain the very best faculty, enhance professional and graduate schools, and improve aging infrastructure and research laboratories. This legislation establishes a World Class Faculty Scholar Program, establishes a University Professional and Graduate Degree Excellence Program, and links education to job opportunities.

### **Legislation to Protect Right to Self-Defense Advances to Senate Floor**

The Senate Committee on Rules passed Senate Bill 128, Self-defense Immunity, sending the legislation to the floor for a full Senate vote. The bill protects the right of self-defense for all Floridians by correcting a misinterpretation of the “Stand Your Ground” law in the 2015 *Bretherick vs. State* Florida Supreme Court decision. Senate Bill 128 clarifies the government, not the accused, has the burden of proof in a “Stand Your Ground” immunity hearing. In a 5-2 decision, the Florida Supreme Court ruled otherwise.

Senate Bill 128 changes who must bear the burden of proof during pretrial hearings to evaluate a defendant’s claim of immunity based on a justifiable use of force. Current law provides a defendant a right of immunity from criminal prosecution and civil action if he or she is justified in using force. Although the procedures to claim immunity are not specified by statute, the Florida Supreme Court has determined that defendants must prove by a preponderance of the evidence the entitlement to the immunity at a pretrial hearing. The bill places the burden of proof on the state and requires the state to overcome the immunity claim by offering evidence meeting the standard of beyond a reasonable doubt.