

**STORAGE NAME:** h4161.cu

**DATE:** March 27, 1998

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
Colleges & Universities  
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

**BILL #:** HB 4161 (PCB CU 98-04)

**RELATING TO:** Budgeting/DOE

**SPONSOR(S):** Colleges & Universities & Representative Casey & Others

**COMPANION BILL(S):** None

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

(1) Colleges & Universities YEAS 10 NAYS 0

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I. SUMMARY:

Following the 1997 Legislative Session, the House and Senate participated in an interim project to define, identify, and review all activities of state agencies that are required by Florida Statute or the General Appropriations Act. This bill addresses one of the recommendations that resulted from that review.

This bill establishes a time certain for Department of Education programs not specifically included in the current performance-based budgeting schedule to come under performance-based budgeting.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Following the 1997 Legislative Session, staff of the House and Senate in conjunction with staff of the Governor's Office of Planning and Budgeting and agency staff participated in a project to identify all the tasks that have been required of the various state agencies by the Legislature, whether in statute or in the budget. Agencies were asked to rank their priorities. Each substantive committee was directed to review the priorities of agencies within its jurisdiction, make independent decisions about the priorities of the committee, and transmit those committee priorities to the fiscal committees. Substantive committees were also provided the option to prepare PCBs that make technical, clarifying changes to, and remove obsolete language from the statutes.

The House of Representatives Committee on Colleges & Universities reviewed programs within the Department of Education including the functions and activities of the Board of Regents, the State University System, and the Postsecondary Education Planning Commission (PEPC).

Section 216.0172, F.S., sets forth the schedule for agency submission of performance-based program budgets. Specific time lines are established for programs within the Department of Education relating to Community Colleges, the State University System, and Public Schools. There is no schedule for programs that do not specifically fall within one of these areas.

B. EFFECT OF PROPOSED CHANGES:

This bill establishes a time certain for Department of Education programs not specifically included in the current performance-based budgeting schedule to come under performance-based budgeting.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Amends s.216.0172(7), F.S.

E. SECTION-BY-SECTION RESEARCH:

Section 1. Amends s. 216.0172, F.S., to expand the performance-based program budgeting schedule to include DOE programs, in addition to Community Colleges, State University System, and Public Schools.

Section 2. Establishes an effective date.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. FISCAL COMMENTS:

None

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IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

COMMITTEE ON Colleges & Universities:  
Prepared by:

Legislative Research Director:

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Kimberly R. Allen

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Betty Tilton, Ph.D.