STORAGE NAME: h1915.cu
DATE: March 22, 1999

HOUSE OF REPRESENTATIVES
COMMITTEE ON
COLLEGES & UNIVERSITIES
ANALYSIS

BILL #: HB 1915

RELATING TO: Florida Education Fund

SPONSOR(S): Representative Les Miller

COMPANION BILL(S): None

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:
(1) COLLEGES & UNIVERSITIES
(2)
(3)
(4)
(5)

I. SUMMARY:

The bill revises the membership of the Board of Directors of the Florida Education Fund. It increases the number of representatives of the State University System appointed by the Board of Regents from two to three. It also adds the requirement that one of those representatives shall be a graduate of a program funded by the Florida Education Fund.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

The Florida Education Fund

Section 240.498, F.S., provides for the Florida Education Fund (FEF), a not-for-profit statutory corporation created from a challenge endowment grant from the McKnight Foundation. The fund operates on income derived from the investment of endowments, other gifts, and appropriate state matching funds.

The FEF funds programs which seek to:

- Enhance the quality of higher educational opportunities in Florida;
- Enhance equality by providing access to effective higher education programs by minority and economically deprived individuals in this state, with particular consideration to be given to the needs of both blacks and women; and
- Increase the representation of minorities in faculty and administrative positions in higher education in this state and provide more highly educated minority leadership in business and professional enterprises in this state.

The Fund is administered by a board of directors which consists of twelve members appointed as follows:

1) Two laypersons appointed by the Governor;

2) Two laypersons appointed by the President of the Senate;

3) Two laypersons appointed by the Speaker of the House of Representatives;

4) Two representatives of the State University System appointed by the Board of Regents;

5) Two representatives of the State Community College System appointed by the State Board of Community Colleges; and

6) Two representatives of independent colleges or universities appointed by the State Board of Independent Colleges and Universities.

The board of directors may appoint to the board an additional five voting members from the private sector for the purpose of assisting in the procurement of private contributions. Each of the educational sectors listed above is represented by a president and a faculty member of the corresponding institutions. The term of office is three years or until resignation/removal. Since the terms of office are staggered, one-third will expire annually.

FEF Programs
The FEF supports several programs which serve to promote its objectives. The McKnight Doctorate Fellowship Program has produced more than 100 graduates, diversifying the national pool of Ph.D. graduates and college and university faculty. The McKnight Junior Faculty Fellowship Program has awarded 165 fellowships providing college faculty a full year of funded leave to pursue special interests thus increasing their chances for tenure and promotion. There is also a legal education component consisting of a law school and pre-law scholarship program which provides opportunities for minorities to attain representation within the legal profession proportionate to their representation within the general population.

B. EFFECT OF PROPOSED CHANGES:

The bill increases the total number of members of the FEF Board of Directors from twelve to thirteen. The additional representative will be appointed by the Board of Regents and must be a graduate of a program funded by the FEF.

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?

The Board of Regents will be responsible for appointing three, rather than two, members of the board of directors of the Florida Education Fund.

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

No.

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

An agency or program is not 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?

No.

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:

The bill does not purport to provide services to families or children.

(1) Who evaluates the family's needs?

The bill does no purport to provide services to families or children.

(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 section 240.498, Florida Statutes.

E. SECTION-BY-SECTION ANALYSIS:

This section need be completed only in the discretion of the Committee.

III. <u>FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT</u>:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. <u>Non-recurring Effects</u>:

See FISCAL COMMENTS.

2. <u>Recurring Effects</u>:

See FISCAL COMMENTS.

3. <u>Long Run Effects Other Than Normal Growth</u>:

See FISCAL COMMENTS.

4. <u>Total Revenues and Expenditures</u>:

See FISCAL COMMENTS.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. <u>Non-recurring Effects</u>:

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:

The fiscal impact of the bill is indeterminate.

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 action which require the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

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

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

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

V. COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None

VII. SIGNATURES:

COMMITTEE ON COLLEGES & UNIVERSITIES:

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